

Council Agenda



Epping Forest District Council

NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Tuesday, 14 December 2010 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read 'D Macnab'.

DEREK MACNAB
Acting Chief Executive

**Democratic Services
Officer:**

Council Secretary: Ian Willett
Tel: 01992 564243 Email: iwillett@eppingforestdc.gov.uk

WEBCASTING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy and copies made available to those that request it.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area

If you have any queries regarding this, please contact the Senior Democratic Services Officer on 01992 564249.

BUSINESS

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Chief Executive will read the following announcement:

“This meeting will be webcast live to the Internet and will be archived for later viewing. Copies of recordings may be made available on request.

By entering the chamber’s lower seating area you consenting to becoming part of the webcast.

If you wish to avoid being filmed you should move to the public gallery or speak to the webcasting officer”

2. PARISH COUNCILLOR JASON SALTER

The Council is invited to stand for a minute’s silence in tribute to the memory of Parish Councillor Jason Salter who died recently.

Jason Salter was a member of the Abbess, Beauchamp and Berners Roding Parish Council. He was one of the Town/Parish Council representatives on the Standards Committee from 2001 until 2007 and from 2009 .

He was also Vice-Chairman of the Local Councils’ Liaison Committee.

3. MINUTES (Pages 9 - 38)

To approve as a correct record and sign the minutes of the meeting held on 2 November 2010 (attached).

4. DECLARATIONS OF INTEREST

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

5. ANNOUNCEMENTS

(a) Apologies for Absence

(b) Announcements

To consider any announcements by:

- (i) the Chairman of the Council;
- (ii) the Leader of the Council; and
- (iii) any other Cabinet Member.

6. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained in paragraph 9.3 of the Council Procedure Rules of the Constitution on any matter in

relation to which the Council has powers or duties or which affects the District:

- (a) to the Leader of the Council;
- (b) to the Chairman of the Overview and Scrutiny Committee; or
- (c) to any Portfolio Holder.

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

7. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 39 - 60)

To receive reports from the Leader, Chairman of the Overview and Scrutiny Committee and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Chairman of the Overview and Scrutiny Committee;
- (c) Report of Environment Portfolio Holder;
- (d) Report of Finance and Economic Development Portfolio Holder;
- (e) Report of Housing Portfolio Holder;
- (f) Report of Legal and Estates Portfolio Holder;
- (g) Report of Leisure and Wellbeing Portfolio Holder;
- (h) Report of Operational Planning and Transport Portfolio Holder;
- (i) Report of Performance Management Portfolio Holder;
- (j) Report of the Safer and Greener Portfolio Holder.

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

Council Procedure Rule 10.6 provides for questions by any member of the Council to the Leader, Chairman of the Overview and Scrutiny Committee or any Portfolio Holder, without notice on:

- (i) reports under item 5 above; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

Council Procedure Rule 10.7 provides that answers to questions without notice may take the form of:

- (a) direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) direct oral answer from the Chairman of the Overview and Scrutiny Committee or, at their request, from another member dealing with that issue as part of an Overview and Scrutiny review;
- (c) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (d) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (e) where the question relates to an operational matter, the Leader, Chairman of the Overview and Scrutiny Committee or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Chief Officer.

In accordance with the Council Procedure Rule 10.8, a time limit of twenty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further 10 minutes to ensure that all political groups and independent members may have their questions answered.

9. MOTIONS

To consider any motions, notice of which has been given under Council Procedure Rule 11.

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

10. QUESTIONS BY MEMBERS UNDER NOTICE (Pages 61 - 62)

To answer questions asked after notice in accordance with the provisions contained in paragraph 10.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to the Chairman of the Overview and Scrutiny Committee or
- (d) to any Member of the Cabinet;.

Council Procedure rule 10.4 provides that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

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

11. REPORT OF THE CABINET - REVIEW OF EXECUTIVE CONSTITUTION

Report to follow after the Cabinet meeting on 6 December 2010.

12. REPORT OF THE CABINET - INTER AUTHORITY AGREEMENT

Report to follow after the Cabinet meeting on 6 December 2010.

13. REPORT OF THE CABINET - THE SUSTAINABLE COMMUNITY STRATEGY (Pages 63 - 90)

To consider the attached report.

14. REPORT OF THE CABINET - UNPLANNED EMERGENCY ITEMS - FUNDING (Pages 91 - 92)

To consider the attached report.

15. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - STATUTORY GUIDANCE ON DUTY TO RESPOND TO PETITIONS (Pages 93 - 104)

To consider the attached report.

16. REPORT OF THE COMMUNITY GOVERNANCE REVIEW COMMITTEE - COMMUNITY GOVERNANCE REVIEW - MORETON, BOBBINGWORTH AND THE LAVERS (Pages 105 - 106)

To consider the attached report.

17. REPORT OF PLANNING SERVICES SCRUTINY PANEL - NEW HOMES BONUS CONSULTATION

To consider a report to follow after the Planning Services Scrutiny Panel meeting on 2 December 2010

In the light of the tight timescale for responding to the Government's consultation, the Overview and Scrutiny Committee authorised the Scrutiny Panel to report direct to the Council.

18. REPORT OF THE CHIEF EXECUTIVE APPOINTMENT COMMITTEE (Pages 107 - 110)

To consider the attached report.

19. RODING VALLEY RECREATION AREA COMMITTEE

Recommendations:

(1) That the Council determine the category of appointments (Executive/Local/Pro-rata) to be made to the Roding Valley Recreation Area Committee; and

(2) That, two members be appointed to the Roding Valley Recreation Area Committee

(Assistant to the Chief Executive) Arrangements have been concluded between this Council, Loughton Town Council and Buckhurst Hill Parish Council to establish a Roding Valley Recreation Area Committee under the terms of the tripartite lease agreement.

The District Council is entitled to appoint two councillors. The constitution of the Committee will specifically exclude councillors from representing more than one Council. Thus, if a member of this Council is appointed as one of its two representatives, he or she cannot also be appointed as a Parish/Town Council representative.

20. LOCAL GOVERNMENT AND HOUSING ACT 1989 - NOTIFICATION OF MEMBERSHIP OF POLITICAL GROUPS (Pages 111 - 112)

To consider the attached report.

21. REFERENDUM - 5 MAY 2011- APPOINTMENT OF COUNTING OFFICER

Recommendation:

To note the appointment of Mr I Willett as Counting Officer (designate) for the Referendum provided for under the Parliamentary Voting System and Constituencies Bill (PVSC Bill) to be held on 5 May 2011

(Assistant to the Chief Executive) Clause 2(1) of Schedule 1 of the PVSC Bill states that the Counting Officer for the Referendum to be held on 5 May 2011 is the person who is the Returning Officer for elections of councillors of a district, county or borough that forms the voting area.

In accordance with that clause, Jenny Watson, Chair of the Electoral Commission and Chief Counting Officer for the Referendum has confirmed the appointment of Mr I Willett as Counting officer (designate) for the Epping Forest District. The appointment will take effect immediately on commencement of clause 2 of Schedule 1 of the Bill once it is enacted.

22. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

To receive any reports, ask questions and receive answers on the business of joint arrangements and external organisations.

23. 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
24	Report of the Cabinet - Supplementary DDF Estimate - Options for a Development Agreement for the Potential Langston Road Project	3
25	Report of the Cabinet - Supplementary DDF Estimate - External Legal Fees	1,3,5 and 7

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.

24. REPORT OF THE CABINET - SUPPLEMENTARY DDF ESTIMATE - OPTIONS FOR A DEVELOPMENT AGREEMENT FOR THE POTENTIAL LANGSTON ROAD PROJECT (Pages 113 - 114)

To consider the attached restricted report.

25. REPORT OF THE CABINET - SUPPLEMENTARY DDF ESTIMATE - EXTERNAL LEGAL FEES (Pages 115 - 116)

To consider the attached restricted report.

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EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee:	Council	Date:	2 November 2010
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30 - 10.20 pm
Members Present:	Councillors Mrs A Grigg (Chairman), K Angold-Stephens (Vice-Chairman), R Barrett, R Bassett, A Boyce, W Breare-Hall, Ms R Brookes, Mrs P Brooks, K Chana, Mrs T Cochrane, R Cohen, J Collier, Mrs D Collins, D Dodeja, Ms C Edwards, C Finn, Mrs R Gadsby, P Gode, A Green, Ms J Hart, J Hart, Ms J Hedges, D Jacobs, D C Johnson, Mrs S Jones, B Judd, J Knapman, L Leonard, A Lion, J Markham, Mrs M McEwen, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, W Pryor, B Rolfe, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt		
Apologies:	Councillors Ms Y Knight, Mrs J Lea, B Sandler, Mrs M Sartin, Mrs P Smith and Ms S Watson		
Officers Present:	D Macnab (Acting Chief Executive), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), A Hall (Director of Housing), G Lunnun (Assistant Director (Democratic Services)), A Mitchell (Assistant Director (Legal)), S G Hill (Senior Democratic Services Officer), P Sewell (Democratic Services Assistant) and T Carne (Public Relations and Marketing Officer)		
Also Present:	J Guth (Independent Member and Vice-Chairman of the Standards Committee)		

77. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive, on behalf of the Chairman of the Council, reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

78. WELCOME TO THE MEETING

The Chairman welcomed Mr Jason Guth, Independent Member and Vice-Chairman of the Standards Committee to the meeting. The Chairman advised members that Mr Guth was attending to present the Annual Report of the Standards Committee.

79. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 28 September 2010 be taken as read and signed by the Chairman as a correct record.

80. DECLARATIONS OF INTEREST

There were no declarations of interest by members of the Council under this item.

81. ANNOUNCEMENTS**(a) Announcements by the Chairman of the Council****(i) Attendance at Events**

The Chairman reported on her attendance at the Commemoration of the bombing of Spriggs Oak, Epping in 1940 when eight women had been killed.

The Chairman also reported on her attendance together with other Councillors at a speed meeting event with Youth Councillors.

Councillor Mrs Grigg advised that she had attended the unveiling and dedication of the Battle of Britain Memorial Wall at North Weald Airfield.

(ii) Flowers from the Meeting

The Chairman advised that the flowers from the meeting would be sent to St Clare Hospice.

(b) Announcements by the Leader of the Council

There were no announcements by the Leader under this heading.

(c) Announcements by Portfolio Holders

There were no announcements by Portfolio Holders under this heading.

(d) Quality Parish Status – Accreditation – Epping Upland and North Weald Bassett Parish Councils

The Chairman introduced Canon John Brown, the Chairman of the Essex County Accreditation Panel and invited him to say a few words on Quality Parish Status prior to making presentations to representatives of Epping Upland and North Weald Bassett Parish Councils.

Canon Brown reported that there were currently 695 quality Parish Councils nationally of which 223 had been re-accredited. 43 Parish/Town Councils in Essex had been awarded quality status and 22 had been re-accredited for the latest standard. The meeting noted that there were currently seven quality Parish Councils in the Epping Forest District.

Canon Brown suggested that both North Weald Bassett and Epping Upland Parish Councils were well placed to deliver the power of wellbeing, a role already being undertaken by 10 local Councils in Essex.

Canon Brown congratulated North Weald Bassett Parish Council for meeting the criteria for accreditation. He advised that the relocation of the Parish Office to the Library had made the Parish Council more accessible and had increased community involvement. He pointed out that the Parish had 4,681 electors and the Parish Council maintained 11 notice boards and managed three halls. He praised the Parish Council for the clear way in which members' interests were recorded, their monthly newsletter and other publications, the rota for Councillors' Saturday surgeries, their Citizen of the Year Award, the delivery of their annual report to all households in the Parish, the Annual Remembrance Service at the Norwegian

Memorial, the funding of local organisations, the management of allotments and a cemetery and for participating in the Essex Apprenticeship Scheme.

Canon Brown congratulated Epping Upland Parish Council for achieving the standard for re-accreditation. He praised the Parish Council for their newsletter which set out clearly the responsibilities of all Parish Councillors, for individual Councillor input into the magazine "the Uplander", for the clear and well presented annual report, special leaflets in relation to housing development, new Councillor induction arrangements, the high level of attendance of Councillors at meetings, the management of allotments, the provision of a Millennium Wildlife Garden, the maintenance of the village green and involvement in the Gypsy and Traveller consultation process.

The Chairman of the Council, Canon Brown, Councillor Ann Pegrum, Vice-Chairman and Mrs Val Evans, Clerk of Epping Upland Parish Council moved to the well of the Chamber for the formal presentation and photographs.

The Chairman of the Council, Canon Brown, Councillor Cyril Hawkins, Chairman and Mrs Sue De Luca, Clerk of the North Weald Bassett Parish Council moved to the well of the Chamber for the formal presentation and photographs.

(e) Customer Service Excellence Award – Housing Directorate

The Council noted that following a detailed written submission and a rigorous assessment process undertaken by an external assessor, the whole of the Council's Housing Directorate had been awarded the Government Standard for Customer Service Excellence in the public sector. Members noted that Customer Service Excellence replaced the former Charter Mark Award, which had been held by the Housing Directorate for the past six years.

In order to obtain the Customer Service Excellence Award, organisations had to meet 57 separate assessment criteria. They had to demonstrate that they engaged and consulted with their customers; measured customer satisfaction with the service; provided information and easy access to services; co-operated with other providers, partners and communities; had service delivery standards; dealt effectively with problems; achieved timely service delivery, and had a positive organisation culture.

The Chairman drew attention to the independent external assessor's overall conclusion – "the Housing Directorate was found to have a deep understanding and commitment to Customer Service Excellence. The commitment was found from Senior Management levels through to operational and front line staff".

The Chairman made a presentation to Councillor David Stallan, Housing Portfolio Holder and Alan Hall, Director of Housing following which photographs were taken.

82. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions for this meeting.

83. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET

The Council received written reports from the Environment Portfolio Holder, the Finance and Economic Development Portfolio Holder, the Housing Portfolio Holder, the Legal and Estates Portfolio Holder, the Operational Planning and Transport Portfolio Holder, and the Performance Management Portfolio Holder.

The Chairman invited the Leader, the Chairman of the Overview and Scrutiny Committee and the Leisure and Wellbeing Portfolio Holder to provide oral reports and other members of the Cabinet to give an oral update of their records.

(a) Leader of the Council

The Leader reported on her attendance together with the Vice-Chairman of the Council at the Homestart Annual General meeting. She drew attention to the work of Homestart, the majority of which was undertaken by volunteers.

Councillor Collins reported that she had also attended the speed meeting event for Council members and Youth Councillors and had been impressed with the input of the young persons.

The Leader advised that together with the Deputy Leader she had met the Leader and Deputy Leader of the County Council. A number of matters had been discussed including the establishment of a Local Enterprise Partnership covering Essex, Kent and East Sussex. She reported that being such a large area a considerable amount of central funding was expected but it was unclear how much of that funding would be directed to West Essex. Councillor Collins advised that the subsequent Government announcement of accepted Local Enterprise Partnership had surprised her as some covered only a County area and in Essex it had been pointed out that such a restricted area would be unlikely to be accepted.

The Leader advised that the meeting with the Leader and Deputy Leader of Essex County Council had also discussed the Comprehensive Spending Review. She pointed out that the full impact on the County of Essex and this District would not be known until the announcement of grants in December. However, the Government had indicated that in recognition of local authorities not increasing the Council Tax, central funding would be made available to meet the difference between no increase and 2½%. The Leader also advised that Central Government funding for Homelessness would now be made to Districts and not to the County Council as had previously been announced.

The Leader advised that the meeting with the Leader and Deputy Leader of the County Council had also discussed the outstanding parking reviews in this District and in particular the difficulties regarding the advertising costs. The District Council views had been noted and it now appeared that the District Council be allowed to continue with its enforcement contract operated by Vinci until it expired. Councillor Collins advised that this discussion had led to the County Council agreeing to consider the possibility of outsourcing the new Enforcement Contract at the appropriate time.

Discussions with the Leader and Deputy Leader of the County Council had also included the plans for St John's School and the Epping Design Brief. The County Council had agreed to provide further details of the plans for the school and had indicated that the Epping Design Brief would be made available for consultation shortly. Councillor Collins advised that the County Council had indicated that it was anxious to maximise its assets and that it would like to sell most of its land covered within the brief for housing. She advised that the County Council members had been informed that this was not favoured by local residents and that their views should be taken into account.

Councillor Collins advised that the meeting had discussed the London Olympics in 2012. Representations had been made to the County Council representatives that

the County Council had appeared to be focussing on the Mountain Biking course in Hadleigh with little attention being given to the White Water course just outside of the Epping Forest and Essex border in Broxbourne. The meeting noted that local County Councillors Valerie Metcalfe and Liz Webster were now involved in discussions about the legacy benefits to the Waltham Abbey area which was expected to attract 70,000 visitors a year.

Councillor Collins said that the County Council representatives had seemed to be unaware of the concerns being expressed in many quarters about the Children's Services. She reminded members that Essex had received two poor inspection reports and had been judged inadequate on both occasions. The County Council representatives had suggested that their procedures were very good but it had been pointed out to them that whilst this might be the case there was little evidence of putting the procedures into practice for the benefit of children.

The meeting had also discussed housing provision and in particular the expansion of Harlow. She advised that the County Council representatives had acknowledged that the County Council would need to take an overview of housing provision in the county and in particular in the West Essex area.

In relation to the future of Local Strategic Partnerships, the County Council had already spent the money which had been previously allocated to District Councils. Councillor Collins advised that she had pointed out to the County Council representatives that Epping Forest, Harlow and Uttlesford were continuing to work together on a Partnership arrangement for West Essex.

In relation to Health and Wellbeing, representations had been made to the County Council representatives for the need to ensure for proper scrutiny.

Councillor Collins advised that an Away Day with other Essex Authority Leaders was to be held next week. She advised that together with a number of other Leaders she had been surprised at an announcement made by Councillor G Butland who was leading on the consideration of shared services throughout the County. Councillor Butland had announced that there would be one Chief Executive for all District Councils in the County and five Managing Directors. Councillor Collins pointed out that he had since apologised for expressing his own views in a way which could have been interpreted as being supported by other Essex Authority Leaders. She said that her preference which was shared by the Leaders of Harlow and Uttlesford Councils was for those three authorities to work together rather than be involved in larger grouping of authorities.

Finally, the Leader advised that the first meeting of the Chief Executive Appointment Committee had been held at which consideration had been given to the terms of reference and an outline of the process. Members of the Committee had also met the Consultants appointed to advise on the appointment. Councillor Collins reported that a further two or three meetings would be held before Christmas and that she would make a further report on progress to the Council meeting in December 2010.

(b) Chairman of the Overview and Scrutiny Committee

Councillor Morgan advised that the Overview and Scrutiny Committee had been due to receive a presentation from the Principal of Epping Forest College at its last meeting but that due to an IT failure at the College that day it had not been possible. He advised that the presentation would be made to a future meeting.

(c) Leisure and Wellbeing Portfolio Holder

Councillor Rolfe expressed his thanks to District Council Officers for the role in which they had played in obtaining lottery funding for a Skateboard Park in Waltham Abbey. He also advised that £25,000 had been secured by the Epping Forest Museum to help with future exhibitions. This funding had been obtained from the Heritage Lottery Renaissance in the Region Fund.

Councillor Rolfe further reported that £45,000 had been obtained from the Aiming High Fund for the provision of play facilities for children with disabilities.

(d) Operational Planning and Transport Portfolio Holder

Councillor Stavrou updated the Council in relation to the outstanding parking reviews. She advised that, subject to call-in, the Cabinet at its meeting on 25 October 2010 had decided that further work on the parking reviews should be continued. She reported that total expenditure to date since the commencement of the 2004/05 financial year on the Epping, Buckhurst Hill and Loughton Broadway parking reviews had been £922,956. The Cabinet was also recommending that the £20,000 associated with the previous abortive advertising costs should not be paid to Essex County Council. On the basis that Essex County Council would not provide a written assurance for their revised approach to advertising the Traffic Regulation Orders meeting with all the legal requirements nor indemnify this Council against any abortive costs which would arise should the revised approach be successfully challenged, advertising of the Orders was to be undertaken through a newspaper or newspapers whose circulations covered all the areas affected by the reviews at an estimated additional cost of £165,000. The Portfolio Holder advised that, as recommended by the Local Highways Panel, the reviews would be progressed through a phased approach of completing the Epping Review first, followed by the Buckhurst Hill Review and finally the Loughton Broadway Review, but with total expenditure being contained within the currently available capital allocation. She advised that the Cabinet was also recommending the use of the District Parking Enforcement Account to meet the additional costs of:

- (a) the capital costs of the reviews should the budget be exceeded; and/or
- (b) the enforcement associated with the implementation of new and revised Traffic Regulation Orders to include weekend and evening enforcement.

Finally, the Cabinet was recommending that the Council should no longer undertake wide area parking reviews.

Councillor Stavrou reported that robust project management would be adopted in relation to the future processing of the reviews. She said that it would be necessary to undertake further consultation although previous comments made would be taken into account by the County Council.

84. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Parking Reviews**

Councillor J M Whitehouse stated that he was pleased to hear there would be robust project management in relation to the reviews but questioned whether amendments to be made to proposals by the County Council and/or the District Council would be made before or after the fresh consultation exercise.

Councillor Stavrou stated that she was not sure at present of the order in which these matters would be undertaken. She emphasised that there would be a need for further consultation and that existing comments would also be taken into account.

(b) Enterprise Week

Councillor Mrs J H Whitehouse referred to the reference in the report of the Finance and Economic Development Portfolio Holder to activities being planned to celebrate Enterprise Week in mid November and asked for further details. She also asked what progress was being made in relation to the loyalty card initiative for the District's Town Centres.

Councillor Whitbread advised that a number of events were being planned for Enterprise Week in conjunction with Harlow and Uttlesford Councils. He agreed to provide members with a full list in due course. In relation to the loyalty card initiative he advised that this was to be launched later in the month and was aimed in encouraging people to spend in the Epping Forest District rather than further afield. He praised the work undertaken by Cathy MacBride, Town Centres Officer, in relation to this scheme. Councillor Whitbread said that he would report further on this matter at the next Council meeting.

(c) Backlog of Assessments for Disabled Adaptations by County Occupational Therapy Service

Councillor P Brooks asked the Housing Portfolio Holder for an update on the restructuring of the County's Occupational Therapy Service which was likely to lead to a reduced number of Occupational Therapists and backlogs of assessments for disabled adaptations.

Councillor Stallan, Housing Portfolio Holder stated that the proposals of the County Council could result in a decision to not undertake any assessments for disabled adaptations on behalf of District Councils. If such a decision was made it would be necessary for all the District Councils in the County to make alternative arrangements funded from their own resources. He stated that he would keep members informed of progress with this important and sensitive area.

(d) Local Enterprise Partnership

Councillor Pond questioned the authority for agreeing to be part of a Local Enterprise Partnership comprising Essex, Kent and East Sussex.

Councillor Collins, Leader of the Council stated that approximately one month ago the County Council encouraged by a local Member of Parliament had formulated proposals for a Local Enterprise Partnership with Kent. This proposal had been put forward as it had been suggested a Partnership based on only a county boundary would be unlikely to be accepted by Central Government. She advised that District Councils had been given very little notice to respond to this proposal and she had agreed that it should be pursued but nothing had been signed to that effect. At a very late stage East Sussex had been joined into the proposal but she had not been made aware of this until after the event. She stated that she had been surprised when the list of approved partnerships had been published as some had been agreed on the basis of county boundaries only.

(e) Fire Safety Risk Assessment in Blocks of Flats

Councillor Jenny Hart thanked the Housing Portfolio Holder for deferring action on the removal of carpets from communal areas and asked if he would agree to investigate the practicality of installing smoke alarms in every building, subject to the views of the Fire Service. She also stated that she understood one London Borough Council had agreed to the laying of flame resistant carpet in communal areas which was apparently acceptable to the London Fire Brigade.

Councillor Stallan, Housing Portfolio Holder advised that in relation to the provision of smoke alarms he had asked officers to undertake a feasibility study of installing mains operated alarms in properties and once the results of that study were available a report would be submitted to the Cabinet and possibly the full Council for approval for a supplementary estimate to provide any finance required. In relation to the flame resistant carpet he asked Councillor Hart if she would provide him with details so that he could pursue this matter with officers. Councillor Stallan stated that following consideration of these issues by the Housing Scrutiny Panel he had taken account of representations made by Councillor Hart and other Councillors. He had also taken account of statements made by Lord Young and the new Secretary of State for Communities and Local Government on the need to reduce the cost of local government administration and inspection regimes. As a result he was proposing to write to the new Housing Minister for clarification of the current view. This was to be the subject of a Portfolio Holder decision which would be signed and published within the next two weeks although implementation would be the subject to call-in.

(f) Loughton High Road Town Centre Partnership

Councillor Markham pointed out that the District Council's two representatives on this Partnership had not attended meetings and he asked the Leader of the Council if they were to be removed as representatives.

Councillor Collins replied that she had been unaware of this non-attendance until recently and had not yet had an opportunity to speak to the members concerned. She stated that she would be pursuing the matter with the relevant members.

85. MOTIONS

The Council was advised that there were no motions for consideration at this meeting.

86. QUESTIONS BY MEMBERS UNDER NOTICE**(a) Vere Road and Burton Road Car Parks, Loughton**

By Councillor Pond to Councillor Stavrou, Operational Planning and Transport Portfolio Holder

"How much was received by the Council from parking charges at the Vere Road and Burton Road Car Parks, Loughton, in each financial year from 2007-08 to date?"

Response of Councillor Stavrou, Operational Planning and Transport Portfolio Holder

Pay and display and penalty charge income from the Burton Road and Vere Road car parks is as follows:

Financial year	Burton Road £	Vere Road £
2007/08	9,088.30	Not applicable
2008/09	64,823.30	6,365.05
2009/10	59,036.20	17,224.50
2010/11 (to 27 Oct)	31,062.10	10,572.65

Penalty charge notice income is:

Financial year	Burton Road £	Vere Road £
2007/08	1,700	1,260
2008/09	14,225	3,755
2009/10	10,480	2,755
2010/11 (to 27 Oct)	4,520	1,275

Notes:

- (1) Pay and Display machines not installed in Burton Road until January 2008 hence the low income for 2007/08
- (2) In 2007/08 Vere Road was designated as Business and Resident permits only, therefore no Pay and Display income generated
- (3) In 2008/09 Vere Road re-designated as short stay with Pay and Display meters.

(b) External Consultants and Agency Staff

By Councillor J M Whitehouse to Councillor Whitbread, Finance and Economic Development Portfolio Holder

“How much did the Council spend on external consultants and agency staff in:

- (a) 2007/08;
- (b) 2008/09; and
- (c) 2009/10?”

Councillor Whitehouse stated that he would be happy to receive totals at this meeting subject to the Portfolio Holder publishing full details in the Council Bulletin and in the minutes of this meeting.

Response of Councillor Whitbread, Finance and Economic Development Portfolio Holder

Councillor Whitbread advised that the total expenditure in relation to consultants over the three year period had been £1,267,889. In relation to agency staff the figure had been £2,028,477. He continued that total expenditure of both consultants and agency staff was therefore £3,296,366.

The full response of Councillor Whitbread was as follows:

Cost of External Consultants & Agency Staff

Year	Consultants	Agency Staff	Total	Note
2007/08	298,618	797,808	1,096,426	
2008/09	394,892	658,525	1,053,417	(a)
2009/10	574,379	572,144	1,146,523	(b)
Total	<u>1,267,889</u>	<u>2,028,477</u>	<u>3,296,366</u>	

Notes

- (a) Consultants figure includes £145,376 for spending by Forward Planning on Gypsy and Traveller related work.
- (b) Consultants figure includes £289,594 for spending by Accountancy on VAT to produce net income of £1.1million.

Cost Excluding Exceptional Items

Year	Consultants	Agency Staff	Total
2007/08	298,618	797,808	1,096,426
2008/09	249,516	658,525	908,041
2009/10	284,785	572,144	856,929
Total	<u>832,919</u>	<u>2,028,477</u>	<u>2,861,396</u>

Supplementary question from Councillor J M Whitehouse to Councillor Whitbread

What assessment is undertaken to ensure that best value is achieved in relation to the engagement of agency staff?

Councillor Whitbread undertook to respond to Councillor Whitehouse in writing and to publish his response to this supplementary question in the Council Bulletin.

87. NON-HOUSING ASSETS WITHIN THE HOUSING REVENUE ACCOUNT

Mover: Councillor Whitbread – Finance and Economic Development Portfolio Holder

Councillor Whitbread reported on proposals for transferring non-housing assets from the Housing Revenue Account to the General Fund.

Councillor Morgan who had chaired a joint Housing and Finance and Performance Management Scrutiny Panel which had considered this matter reported on the views of that meeting. He advised that due to the unprecedented financial situation in which the country found itself and the likely impact of the comprehensive spending review on the Council's resources, the transfer of the non-housing assets to the General Fund had been recommended for approval, enabling all residents of the District to benefit.

Report as first moved ADOPTED

RESOLVED:

That the non-housing assets listed in Appendix 1 to these minutes be transferred to the General Fund.

88. ORDER OF BUSINESS

The Chairman sought leave of the Council to bring forward Item 18 (Standards Committee – Annual Report 2009/10).

RESOLVED:

That the order of business be amended and that Item 18 be taken as the next item of business.

89. STANDARDS COMMITTEE - ANNUAL REPORT 2009/10

Mover: Mr Jason Guth, Independent Member and Vice-Chairman of the Standards Committee

Mr Guth current Vice-Chairman of the Committee presented the report on behalf of the former Chairman of the Committee.

Report as first moved ADOPTED

RESOLVED:

That the Annual Report of the Standards Committee be noted.

90. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - DEPUTIES TO PORTFOLIO HOLDERS

Mover: Councillor Morgan – Chairman of the Committee

Councillor Morgan reported on proposals for introducing Deputies to Portfolio Holders.

First Amendment moved by Councillor McEwen and seconded by Councillor Philip

“That the words “between 3 and 10 Deputy Portfolio Holders” be deleted from Appendix 2 and the words “up to 10 Deputy Portfolio Holders” substituted.

Carried

Second Amendment moved by Councillor J M Whitehouse and seconded by Councillor Brooks

“That Recommendation (4) be deleted and replaced with “That Special Responsibility Allowance be not applied to Deputy Cabinet Member positions””.

Lost

Report as amended ADOPTED**RESOLVED:**

- (1) That positions of Deputy Portfolio Holders be introduced and included in the Council’s Constitution;
- (2) That the proposed amendments to Article 6 of the Constitution and the Executive Procedure Rules as shown in Appendix 2 to these minutes be approved;
- (3) That the Member Role Statement for Deputy Portfolio Holders set out in Appendix 3 to these minutes be approved; and
- (4) That the application of Special Responsibility Allowance to Deputy Cabinet member positions be deferred until 2011/12 to allow more time for these new positions to be assessed in their initial period of operation.

91. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ADDRESSING CABINET AND OVERVIEW AND SCRUTINY COMMITTEE MEETINGS**Mover: Councillor Morgan – Chairman of the Committee**

Councillor Morgan presented a report on proposals for regulating arrangements for members of the public or other organisations to address meetings of the Cabinet and the Overview and Scrutiny Committee.

Amendment moved by Councillor Judd and seconded by Councillor Breare-Hall

“That the following changes be made to Appendices 1 and 2 in order to provide greater flexibility in managing requests by the public to address Cabinet and the Overview and Scrutiny Committee meetings:

- (a) delete sub-paragraph (vii) in both Appendices.
- (b) amend sub-paragraph (x) (to be renumbered (ix) of Appendix 1 to read as follows:

“the Leader of the Council shall have discretion as to whether to limit the number of persons wishing to address the Cabinet if it is considered that the number of such speakers will unduly delay the proper despatch of business at any meeting;

(c) amend sub-paragraph (x) (to be renumbered (ix) of Appendix 2 to read as follows:

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

Carried

Report as amended ADOPTED

RESOLVED:

- (1) That provision be made in the Executive Procedure Rules in the Constitution to regulate arrangements for members of the public or other organisations to address Cabinet meetings on agenda business;
- (2) That the proposed additional clause in the Executive Procedure Rules set out in Appendix 4 to these minutes be approved;
- (3) That these arrangements be reviewed in 12 months time; and
- (4) That similar provision be made in the Overview and Scrutiny Procedure Rules as set out in Appendix 5 to these minutes in order to provide similar arrangements to operate at Overview and Scrutiny Committee meetings.

92. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - CANCELLATION OF MEETINGS - EXTREME WEATHER CONDITIONS

Mover: Councillor Morgan – Chairman of the Committee

Councillor Morgan reported on proposals to regularise the arrangements for the cancellation of meetings due to extreme weather conditions.

Report as first moved ADOPTED

RESOLVED:

- (1) That the Constitution be amended to provide procedures for the cancellation of meetings; and
- (2) That the proposed amendment to the Council Procedure Rules as set out in Appendix 6 to these minutes be approved.

93. REPORT OF THE LICENSING COMMITTEE - STATEMENT OF LICENSING POLICY

Mover: Councillor Brooks – Chairman of the Committee

Councillor Brooks submitted a report on a review of the Council's Licensing Policy.

Pursuant to the Council's Code of Member Conduct, Councillor Murray declared a personal interest in this item by virtue of being a member of the Methodist Church. The Councillor advised that he had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration and voting on the matter.

Councillor Murray questioned why the Methodist Church had not been consulted on the proposals. He was advised that the request for inclusion of the Church as a consultee had been received after the consultation period but that the Church would be included in future consultations.

Report as first moved ADOPTED

RESOLVED:

That the Statement of Licensing Policy attached to the report of the Committee be adopted.

94. REPORT OF THE LICENSING COMMITTEE - LICENSING OF SEX ENTERTAINMENT VENUES

Mover: Councillor Brooks – Chairman of the Committee

Councillor Brooks reported that the Policing and Crime Act 2009 had amended Section 3 of the Local Government (Miscellaneous Provisions) Act 1982 to allow the licensing of sexual entertainment venues, where relevant entertainment was provided before a live audience for the financial gain of the entertainer or organiser. She submitted proposals for delegation of the functions and on licensed fees.

Report as first moved ADOPTED

RESOLVED:

(1) That the amendment to the Local Government (Miscellaneous Provisions) Act 1982, Schedule 3 made by Section 27 of the Policing and Crime Act 2009 to licence sexual entertainment venues from 14 December 2010 be adopted;

(2) That the delegations to the Committee, Sub-Committee and Officers be as set out in Appendix 7 attached to these minutes and appropriate amendments be made to the Council's Constitution; and

(3) That the fees in respect of the issue of a Sexual Entertainment Venue licence be £3,000 and £1,500 on renewal.

95. REPORT OF THE LICENSING COMMITTEE - PAVEMENT LICENCES

Mover: Councillor Brooks – Chairman of the Committee

Councillor Brooks submitted a report on the provisions of the Highways Act 1980 which allowed applications to be made to local authorities for permission to place tables, chairs, portable advertising boards and similar objects on pavements which were adopted as highways.

First amendment moved by Councillor Jacobs and seconded by Councillor J M Whitehouse

“ (1) That the following words be deleted from recommendation (3): “a fee of £250 per annum be charged for a consent to five or more tables and associated chairs” ; and replaced with:

“a fee be charged for a consent to tables and associated chairs at a rate of £50 per table” ; and

(2) That the figure “£150” be replaced with the figure of “£30”.

Following debate and by leave of the Council, Councillor Jacobs withdrew his amendment.

Second Amendment moved by Councillor Whitbread and seconded by Councillor Stallan

“That the report of the Licensing Committee be referred back to that Committee for further consideration”.

Carried

RESOLVED:

That the report of the Licensing Committee be referred back to that Committee for further consideration.

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

Mover: Councillor Brooks - Chairman of the Committee

Councillor Brooks submitted a report regarding the provisions of the Town Police Clauses Act 1847 to make temporary road closures for street parties, fetes, processions etc. She advised that the proposals before the Council had been formulated having regard to recent guidance from the Secretary of State for Communities and Local Government suggesting it should be made easier for communities to apply for the temporary closure of a highway to enable street parties and fetes to be held.

Amendment moved by Councillor J H Whitehouse and seconded by Councillor Whitbread

“That the report be referred back to the Licensing Committee for further consideration and at that time officers present a more detailed explanation of the process, costs of the County Council and fees”.

Carried

RESOLVED:

That the report be referred back to the Licensing Committee for further consideration and at that time officers present a more detailed explanation of the process, costs of the County Council and fees.

97. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

There were no reports on the business of joint arrangements and external organisations under this item.

CHAIRMAN

APPENDIX 1

FLATS OVER PREMISES

24 & 25 Fir Trees & Flat	Abridge	40 The Broadway	Debden, Loughton
		41 The Broadway	Debden, Loughton
1 Lower Queens Road	Buckhurst Hill	42 The Broadway	Debden, Loughton
4 Lower Queens Road	Buckhurst Hill	43 The Broadway	Debden, Loughton
5 Lower Queens Road	Buckhurst Hill	44 The Broadway	Debden, Loughton
8 Lower Queens Road	Buckhurst Hill	45 The Broadway & Flat 41A	Debden, Loughton
		46-48 The Broadway	Debden, Loughton
142 Loughton Way	Buckhurst Hill	47-49 The Broadway	Debden, Loughton
144 Loughton Way	Buckhurst Hill	50 The Broadway	Debden, Loughton
146 Loughton Way	Buckhurst Hill	51 The Broadway	Debden, Loughton
148 Loughton Way	Buckhurst Hill	52 The Broadway	Debden, Loughton
150 & 152 Loughton Way	Buckhurst Hill	53 The Broadway	Debden, Loughton
154 Loughton Way	Buckhurst Hill	54 The Broadway	Debden, Loughton
156 Loughton Way	Buckhurst Hill	55 The Broadway	Debden, Loughton
158 Loughton Way	Buckhurst Hill	56 The Broadway	Debden, Loughton
		57 The Broadway + Garage 292	Debden, Loughton
160 Loughton Way	Buckhurst Hill	58 The Broadway	Debden, Loughton
162 Loughton Way	Buckhurst Hill	59 The Broadway	Debden, Loughton
164 Loughton Way	Buckhurst Hill	60 The Broadway	Debden, Loughton
		61 The Broadway	Debden, Loughton
28 Parklands & Flat 38	Coopersale	62 The Broadway	Debden, Loughton
29 Parklands & Flat 36	Coopersale	64 The Broadway	Debden, Loughton
30 Parklands & Flat 34	Coopersale	65 The Broadway	Debden, Loughton
31 Parklands & Flat 32	Coopersale	66 The Broadway	Debden, Loughton
		67 The Broadway & Flat 22A	Debden, Loughton
11-13 The Broadway	Debden, Loughton	68 The Broadway	Debden, Loughton
12-14 The Broadway	Debden, Loughton	69 The Broadway	Debden, Loughton
15 The Broadway	Debden, Loughton	70 The Broadway	Debden, Loughton
16 The Broadway	Debden, Loughton	71 The Broadway	Debden, Loughton
17/19 The Broadway	Debden, Loughton	72 The Broadway	Debden, Loughton
18 The Broadway	Debden, Loughton	73 The Broadway	Debden, Loughton
20 The Broadway	Debden, Loughton	74 The Broadway	Debden, Loughton
21 The Broadway	Debden, Loughton	76 The Broadway	Debden, Loughton
22 The Broadway	Debden, Loughton	78 The Broadway	Debden, Loughton
23 The Broadway & Flat 21A	Debden, Loughton	80 The Broadway	Debden, Loughton
24 The Broadway & Flat 24 A/B	Debden, Loughton	82 The Broadway & Flat 80B	Debden, Loughton
25 The Broadway	Debden, Loughton		
26 The Broadway & Flat 61A	Debden, Loughton		
27 The Broadway	Debden, Loughton	50 The Street & Flat 48	High Ongar
28 The Broadway	Debden, Loughton		
29 The Broadway	Debden, Loughton	58 Borders Lane & Flat 78	Loughton
30 The Broadway	Debden, Loughton	60 Borders Lane	Loughton
31 The Broadway	Debden, Loughton	62 Borders Lane	Loughton
32-34 The Broadway	Debden, Loughton	64 Borders Lane	Loughton
33-37 The Broadway	Debden, Loughton	66 Borders Lane	Loughton
36 The Broadway	Debden, Loughton	68 Borders Lane	Loughton
38 The Broadway	Debden, Loughton	70 Borders Lane & Flat 90	Loughton
39 The Broadway	Debden, Loughton	72 Borders Lane	Loughton
		74 Borders Lane	Loughton
		76 Borders Lane & Flat 96	Loughton

FLATS OVER PREMISES CONTINUED

34 Pyrles Lane	Loughton	1-4 Hillhouse	Waltham Abbey
36,38,40 Pyrles Lane	Loughton	5 Hillhouse	Waltham Abbey
42 Pyrles Lane	Loughton	6 Hillhouse & Flat 13	Waltham Abbey
44 Pyrles Lane & Flat 72a	Loughton	7 Hillhouse	Waltham Abbey
46 Pyrles Lane	Loughton	8 Hillhouse	Waltham Abbey
48 Pyrles Lane	Loughton	9 Hillhouse	Waltham Abbey
50 Pyrles Lane & Flat 76	Loughton	10 Hillhouse	Waltham Abbey
52 Pyrles Land & Flat 62 & Garage	Loughton	11 Hillhouse	Waltham Abbey
		12 Hillhouse	Waltham Abbey
6 & 7 Longcroft Rise & Flat 14	Loughton		
		74 Roundhills	Waltham Abbey
20 St Peter's Avenue & Flat 22	Shellys, Ongar	76 Roundhills	Waltham Abbey
24 St Peter's Avenue & Flat 26	Shellys, Ongar	78 Roundhills	Waltham Abbey
28 St Peter's Avenue & Flat 30	Shellys, Ongar	80 Roundhills	Waltham Abbey
32 St Peter's Avenue & Flat 34	Shellys, Ongar	82 Roundhills	Waltham Abbey
15 Market Square	Waltham Abbey	113-117 Upshire Road	Waltham Abbey
16 Market Square	Waltham Abbey	119 Upshire Road	Waltham Abbey
17 Market Square	Waltham Abbey	121 Upshire Road	Waltham Abbey
18 Market Square	Waltham Abbey	123 Upshire Road	Waltham Abbey
19 Market Square	Waltham Abbey		

NO FLATS OVER PREMISES

83 Loughton Way (House)	Buckhurst Hill	70 Wellfields (House)	Loughton
Petrol Filling Station	Debden, Loughton	17 & 18 Maynard Court	Waltham Abbey
Public House Sir Winston Churchill	Loughton	548 Limes Avenue	Chigwell
Public House The Cottage Loaf	Loughton	550 556 Limes Avenue	Chigwell
Public House Gun Makers Arms	Loughton	558 Limes Avenue	Chigwell
Public House Spencers (formerly The Golden Lion)	Loughton	560 Limes Avenue	Chigwell
Public House The Black Deer	Loughton	562 Limes Avenue	Chigwell
Public House Clydesdale	Loughton		
2-18 Torrington Drive	Debden, Loughton		

SUGGESTED CONSTITUTIONAL AMENDMENTS – DEPUTY PORTFOLIO HOLDERS

1. Executive Procedure Rules

ADD New Paragraph (to be numbered).

“The Leader of the Council may appoint up to 10 Deputy Portfolio Holders who shall –

- (a) assist the designated Cabinet Member in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio.
- (b) assist the designated Cabinet Member in monitoring performance in specified areas relating to the allocated portfolio.
- (c) where appropriate and where permissible under the Council’s Constitution, represent the designated Cabinet Member at meetings or visits.

Such appointments shall be at the discretion of the Leader and shall be notified to Council at its annual meeting. The term of office of any Deputy Portfolio Holder shall be for one year from the Annual Council meeting concerned but may be varied by the Leader at any time.

Deputy Portfolio Holders shall not be members of the Cabinet, or any Cabinet Committee and may not exercise any executive powers, which shall be reserved to Cabinet members either collectively or individually.

Deputy Portfolio Holders may, however, be invited to speak at Cabinet or Cabinet Committee meetings on matters where they assisted Cabinet members but may not vote.”

2. Article 7 – The Executive

ADD New Paragraph (to be numbered 7.05):

“Deputy Portfolio Holders

The Leader of the Council shall also, at his or her discretion, appoint Deputy Portfolio Holders on an annual basis in accordance with the Executive Procedure Rules contained in the Constitution.”

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ESSEX COUNTY COUNCIL – MODEL JOB DESCRIPTION FOR DEPUTIES TO CABINET MEMBERS

Purpose

To assist and work with the designated Cabinet Member with their responsibility for allocated portfolios.

Duties and Responsibilities

1. To assist the designated Cabinet Member in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio.
2. To assist the designated Cabinet Member in monitoring performance in specified areas relating to the allocated portfolio.
3. Where appropriate and where permissible under the Council's Constitution to represent the designated Cabinet Member at meetings or visits.

Skills Required

Basic

1. To show good communication and interpersonal skills.
2. To show the ability to analyse and grasp complex issues.

Developmental

3. To develop a good understanding of how local and national government operates.
4. To develop a clear understanding of the operation of the Council and ability to contribute to the work of the Cabinet generally.
5. To develop skills in chairing meetings and facilitating open discussion.

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PROPOSED REVISION TO EXECUTIVE PROCEDURE RULES

Add new paragraph 5:

“5. REQUESTS BY THE PUBLIC/OUTSIDE ORGANISATIONS TO ADDRESS THE CABINET

- (a) Any member of the public or a representative of an outside organisation may address the Cabinet on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at a meeting.
- (b) The following rules shall apply to such requests:
 - (i) requests must relate to any existing agenda item;
 - (ii) requests must not raise new business for the meeting concerned;
 - (iii) all requests must be notified to the Council by 4 pm on the day of the meeting;
 - (iv) requests accompanied by proposals to circulate written material must be received three working days before the meeting in time to be sent to Cabinet members in advance of the meeting;
 - (v) requests need not be in writing;
 - (vi) a maximum of two persons shall be permitted to address the Cabinet on any one agenda item;
 - (vii) a time limit of 3 minutes per speaker shall apply;
 - (viii) the Cabinet shall be able to ask questions on any comments made;
 - (ix) the Leader of the Council shall have discretion as to whether to limit the number of persons wishing to address the Cabinet if it is considered that the number of such speakers will unduly delay the proper despatch of business at the meeting;
 - (x) this procedure shall not apply to Cabinet Committees.”

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PROPOSED REVISION TO THE OVERVIEW AND SCRUTINY PROCEDURE RULES

Add new paragraph 19.2 as follows:

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

- (i) requests must relate to an existing agenda item;
- (ii) requests must not raise new business for the meeting concerned;
- (iii) all requests must be notified to the Council by 4 pm on the day of the meeting;
- (iv) requests accompanied by proposals to circulate written material must be received three working days before the meeting in time to be sent to Overview and Scrutiny Committee members in advance of the meeting;
- (v) requests need not be in writing;
- (vi) a maximum of six persons shall be permitted to address the Committee at any individual meeting;
- (vii) a time limit of 3 minutes per speaker shall apply;
- (viii) the Overview and Scrutiny Committee shall be able to ask questions on any comments made;
- (ix) the Chairman of the Overview and Scrutiny Committee shall have discretion as to whether to limit the number of persons wishing to address the Committee if it is considered that the number of such speakers will unduly delay the proper despatch of business at any meeting”.

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CANCELLATION OF MEETINGS – PROPOSED ALTERATIONS TO THE CONSTITUTION

(a) Council Procedure Rules

ADD new Procedural Rule (to be numbered 5)

“Cancellation of Meetings

The decision to cancel any meeting of the Council shall be made by the Chairman in consultation with the Chief Executive (or his representative). In circumstances where a meeting has to be cancelled for reasons which are outside the Council’s control at short notice, the decision to cancel shall be made no later than 2 hours before the commencement of the meeting and notified to all Councillors and other interested persons as soon as possible thereafter.”

AMEND existing Procedural Rule 24 by adding the following words:

“The requirements of Procedure Rule 5 (Cancellation of Meetings) above shall apply to the Cabinet, Committees, Panels and Sub-Committees and any other meeting convened by the Authority.

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**LICENSING OF SEX ENTERTAINMENT VENUES
DELEGATION OF FUNCTIONS**

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for Licence		If an objection made or if officers considered it to be appropriate	If no objection made
Application for Variation of a Licence		If an objection or if officers considered it to be appropriate	All other cases
Application for renewal of a Licence		If an objection or if officers considered it to be appropriate	All other cases
Application to revoke a Licence		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
All policy matters except the formulation of the licensing policy	All cases		

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Report to Council

Date of meeting: 14 December 2010

Subject: Overview and Scrutiny report to Council – December 2010

Chairman: Councillor Richard Morgan



Recommendation:

That the Overview and Scrutiny progress report from October 2010 to the present be noted

Report.

Overview and Scrutiny Committee Meeting – 18 October 2010.

1. At the October meeting the Committee was due to receive a presentation from Jeannie Wright, the Principal of Epping Forest College. However, due to an IT failure she could not attend our meeting and this will be rearranged for another date.
2. The Committee then considered three reports from the Constitution and Member Services Standing Scrutiny Panel.
3. The first report was on a proposal made by Councillor Whitbread on the possibility of establishing deputies for Portfolio Holders. The Panel had considered the proposal and concluded that the position of Deputy Portfolio Holders be introduced and appropriate provision be made in the Council's Constitution. The consideration of any special responsibility allowances to the deputy cabinet members is to be deferred until 2011/12.
4. The second report looked at arrangements for the public to address the Cabinet and the Overview and Scrutiny Committee. The highlights of the proposal were that:
 - Members of the public should be allowed to address these meetings in line with the Planning Sub-Committee;
 - Persons could only address the meeting on items that were on the agenda;
 - A maximum of two persons being able to address the meeting on any one item;
 - Only three items on any agenda to have speakers;
 - Three minutes to be allocated to any one speaker; and
 - These arrangements to be reviewed in 12 months time.
5. Our Committee added that if a speaker wanted to circulate papers or photos they should only be able to do so before the meeting and endorsed the report.
6. Lastly, our Committee considered a short report on the cancellation of meetings in extreme weather conditions. This report made recommendations to amend the constitution and provided procedures for the cancellation of meetings. We agreed the report and it went to the November Council meeting along with the other two reports.

Overview and Scrutiny Meeting - 29 November 2010

7. At the November meeting, the Committee received an interesting presentation from four members of the Youth Council, giving an update on their developing Youth Council programme. As well as giving a comprehensive breakdown of their work programme and achievements over the last year they were asking for revenue funding of £12,000 to enable them to continue to fund their day-to-day running costs of transportation, training and events. It would not fund their project work as this money would come from outside grants. The Youth Council had been in receipt of an annual Council grant of £12,000 for some years now and as the number of Youth Councillors had increased over time, this in effect, amounted to a cut in their budget.

8. The Committee were very impressed with their presentation and were supportive of their request for the funding.

9. We next reviewed the past six months of the Overview and Scrutiny's work. We went through the work programme of the Committee and all the Standing and Task and Finish Panels. We noted that there was still room for work to be added into the work programme and members were asked if they wished the committee to review any topics then they should let Democratic Services know.

10. Councillor Mrs Wagland then took the Committee through her Children Services Task and Finish Panel interim report which voiced the Panel's concerns on Essex County Council's recent amendments to the county structure for Children's Services.

11. She asked the Committee to consider if they wished to respond formally to Essex County Council on their preferred partner approach to commissioning children's services and this was agreed by the Committee.

12. It was also suggested that a responsible officer from County be asked to come along to either, the Task and Finish Panel, the main Overview and Scrutiny Committee or even to Cabinet or Council to be quizzed by members and have our views on their new Children Services Structure made known to them.

13. The Committee then considered and noted the performance for the first six months of the Council's Key Objectives (2010/11) and went on to review the Cabinet's Forward Plan for the remainder of the year.

14. We then considered the Constitution and Member Services Standing Panel's report on the duty to respond to petitions, which we approved and this is now on this agenda for Council's consideration and approval.

15. Finally, we agreed that the Planning Services Standing Panel could take the government's consultation paper on 'New Homes Bonus' paper directly to this Council's meeting.

arrangements are being put in place to provide telephone services during the Christmas and New Year shut down period should this be necessary. Details will be made available once finalised.

Bobbingworth

I would just like to update members on the setting up of a local liaison committee to have an oversight on the way forward for this site. The first meeting will take place on 16 December with myself, as the Portfolio Holder, in the chair and local representatives from Bobbingworth and Ongar as well EFDC officers.

Report to the Council

Committee: Cabinet

Date: 14 December 2010

Subject: Finance and Economic Development Portfolio

Portfolio Holder: Councillor Chris Whitbread

Item: 7(d)

Recommending:

That the report of the Finance & Economic Development Portfolio

Holder be noted

North Weald Airfield

The Council's aviation consultants, Halcrow, are progressing with their aviation intensification study. Their interim report was considered by the North Weald Airfield Strategy Cabinet Committee at its meeting on 8 November. The exercise is scheduled to complete with a report to Cabinet in March 2012. At that time consideration will have to be given to what happens next, including consultation on any proposals.

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CLG Consultation Paper “Local Decisions – A Fairer Future for Social Housing”

The CLG has issued this important Consultation Paper, and has invited responses by 17 January 2011. The Consultation Paper sets out the Government’s proposals to reform social housing by: introducing a new, more flexible, local authority affordable rent tenancy with a minimum fixed term of two years; reforming the social housing allocations system; introducing a nationwide social home swap programme; enabling local authorities to fully discharge homelessness duties into the private rented sector; addressing overcrowding; focusing social housing regulation on economic regulation with a stronger role for local tenants; and replacing the HRA with a self-financing arrangement.

Accordingly, a Special Meeting of the Housing Scrutiny Panel has been arranged for 6pm on Tuesday 11 January 2011 in the Council Chamber, at which the Director of Housing will give a presentation on the main issues (along with other national housing policy announcements) and the Scrutiny Panel will discuss and agree the Council’s response to the Consultation Paper.

In view of the wide-ranging issues that the presentation will cover, all Members of Council are invited to the Special Meeting.

Appointment of Repairs Management Contractor

An important part of the Council’s Housing Repairs Refresh Programme is the appointment of a private repairs contractor to manage the Council’s Housing Repairs Service and staff, whilst the staff and managers remain employed by the Council. This is a very innovative approach, and is considered to be a low risk, high benefit approach, especially in the light of large contractors (e.g. Connaught and Rok) recently going into administration.

In view of this unique approach, the Specification and Invitation to Tender for the contract have had to be drafted from scratch, which has taken some time. However, the Invitation to Tenders were issued to the shortlisted contractors in November, and due back by 17 January 2011.

The contract is due to commence in May 2011. The contract period is initially for three years with an option to extend for two further three-year periods. An innovative approach has also been taken to the proposed pricing structure for the contract, which is in three main parts:

(a) Management Fee – An annual amount to run the Repairs Service;

(b) Completion of the following specific projects (“Key Deliverables”), for which the contractor will receive a one-off sum (which they will state in their tender):

- Improved supply chain for materials and sub-contractors – taking advantage of the contractor’s existing bulk-buying power;
- Implementation of an more efficient IT System - to better track repairs, materials, costs etc;
- Implementation of mobile working for tradesmen - enabling works orders to be “beamed” to tradesmen’s hand held computers, saving time and money;
- Implementation of an appointment system for all repairs – enabling all tenants to have repairs undertaken on a morning/afternoon of their choice; and

- Development of a new pricing arrangement for rechargeable repairs, based on the true cost of repairs

(c) Incentivisation Payments – The Contractor will be paid a “bonus” for each quarter in which it meets **all** the set targets for response repair and void repair times, and tenant satisfaction. In each case, with the exception of tenant satisfaction targets which are already very high at 98%, the targets are significantly more challenging than present, including 98% of emergency, urgent and routine repairs to be undertaken within 4 hours, 3 days and 2 weeks respectively, instead of 95% within 24 hours, 5 days and 6 weeks respectively.

The cost of the Repairs Management Contractor will be funded from the savings already being achieved from the increased use contractors appointed under Framework Agreements, enabling the reduced use of direct labour and ad-hoc sub contractors.

I would like to thank all the members of the Repairs Advisory Group, which includes the Finance Portfolio Holder and the Chairman and Vice-Chairman of the Housing Scrutiny Panel, for overseeing the implementation of the project.

Discontinuation of the Choice Based Lettings Freesheet

Under the Council's Choice Based Lettings Scheme, homeseekers can express an interest in available properties which are advertised on the Homeoption website every fortnight. In addition to the website, properties are also currently advertised in a glossy, full colour Freesheet, which is available at 17 pick-up points. These include all Council offices, Information Desks, Leisure Centres and five other locations - including libraries and newsagents in rural areas.

As around 92% of all expressions of interest in available properties are made via the website, the Freesheets are rarely used and around 80% of all Freesheets have to be destroyed each fortnight. The Freesheets cost the Council around £18,000 per annum.

The Council is a member of the Herts and Essex Housing Options Consortium, which jointly operates the choice based lettings scheme. In view of the cost and the low usage, from early in the New Year, the Consortium has agreed to discontinue the printing and issuing of the Freesheet at local outlets. However, officers will print off copies of all vacancies from the website and make black and white copies available at Council Offices and Information Desks.

All homeseekers who do not currently express interests in vacant properties via the website will be notified of the change.

Information@Work

On 25 November 2010, with the assistance of the ICT Service, the Housing Directorate introduced the corporate Information@Work electronic records and document management system throughout the Directorate. From this date, all post to and from tenants, housing applicants, leaseholders and private occupiers has been scanned and processed electronically, with no paper copies being retained in manual files. Not only will this improve the efficiency and management of dealing with customers' correspondence and reduce the amount of filing storage required, it will also enable Housing staff to deal with customers' and members' enquiries from their desktop, without the need to track down the relevant file.

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Report to the Council

Committee: Cabinet **Date:** 14 December 2010
Subject: Leisure & Wellbeing Portfolio
Portfolio Holder: Councillor Brian Rolfe **Item:** 7(g)

Recommending:

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

Sports Leisure Management (SLM)

Work on the contract extension from January 2013 to January 2016 is now well advanced, awaiting final documents for signature. Alongside this the plans for the new sports hall at Waltham Abbey Swimming Pool are nearing completion and submission for pre-planning, but Members are reminded that until financial circumstances improve, the scheme itself will not proceed. Works have also commenced at Loughton Leisure Centre to provide enhanced fitness facilities.

Olympics

As the 2012 Games get ever closer a lot of work is being undertaken in respect of the White Water Centre (WWC), located just across the border of Waltham Abbey with Broxbourne, as well as consideration of the legacy benefits of the Games as a whole and the WWC as a leisure facility for many years to come. Key issues at the present time are centred around the operation of the WWC, access to and from it during the Games, street scene improvements and the degree to which local communities can engage and benefit from the Games, particularly in legacy.

District Museum Service

The District Museum was recently assessed by the VAQAS quality assessment scheme for Visit England. The Museum was deemed to merit the award of a 'Quality Assured Visitor Attraction' and a number of aspects of the service we provide were commented on as excellent examples of practise.

The VAQAS scheme operates as a nationally recognised standards scheme for the overall quality of visit. The Museum is delighted to receive this recognition.

Touring Exhibitions Programme: In recent years the Epping Forest District Museum has been receiving £29,500 per annum to develop a programme of touring exhibitions for a Regional Programme called 'Renaissance in the Regions', these

exhibitions are first shown at the Epping Forest District Museum before going on to tour to other Museums across the East of England. This funding supplements the core budget of £6690 that the Museum has to produce new exhibitions.

Although the Comprehensive Spending Review has seen a reduction in overall Renaissance funding, the Museum has been awarded £24,000 for 2011 -2012 to continue to administer this programme.

Cultural Olympiad: The Museum has also been asked to lead on an exhibition for the Eastern Region as part of the National Cultural Olympiad Programme. The exhibition 'China in the East' has already been allocated some regional funding and the Museum is part of a group of Museums bidding for additional resources from the heritage Lottery Fund for this project.

New Social History Gallery: The Museum is unveiling its new and completely refitted 'social history' gallery on Friday 3 December 2010. The new look gallery explores a range of themes from home life, the Forest, shopping and work, to costume styles in a redesigned space which allows for display of a greater range of items than previously on show. While largely funded from our own resources, this project received two external funding grants to the value of £1542.

Octavius Deacon Sketchbooks: The Museum has worked in partnership with the Loughton and District Historical society to publish a selection of watercolours from the sketchbooks of a nineteenth century Loughton based amateur artist Octavius Deacon. The sketchbooks were acquired by the Museum in 1999, with support from the MLA / V&A Purchase Fund. The sketch books will be on display at the Museum in December 2010.

Community Development

Youth Council and Young People: A "Speed Meeting" event to mark Local Democracy Week was held on 19 October. This enabled members of the Youth Council to meet with their adult counterparts to discuss the issues of the day. The event is available to view on "You Tube."

A presentation evening was hosted by the Youth Council on 26 October to mark the end of their "Mystery Shopping Youth Club Project". Every Youth Club in the district was visited and assessed by Youth Councillors "under cover" over a three month period. Clubs were given a star rating and representatives from all 12 settings invited to attend a celebratory event in the Council Chamber. Certificates, feedback sheets and trophies were awarded.

The Community Development Team organised an extremely well received visit by pupils from West Hatch School on 5 November. Pupils were welcomed by the Chairman of the Council and Leader, along with their local Chigwell Councillors and the Portfolio Holder for Leisure and Young People. The young people were able to question Council Members on a range of issues and enjoyed a tour of the Civic Offices, including a trip to the top of the observation tower.

Community 'Safe and Sound': The Community Development Team provided a series of informative workshops between 15 and 26 November focussing on safety issues. The "Safe & Sound" programme provided workshops on topics such as internet safety advice for parents, home safety advice for older residents and practical personal safety sessions for all ages. The programme culminated in a public

debate at Epping Forest College on 25 November where members of the public were able to pose questions direct to members of the responsible authorities which make up the Safer Communities Partnership.

Sports and Health Development

HealthWorks Project: Sarah Belliars has been appointed as the HealthWorks Project Co-ordinator and is working as part of the Council's Sports and Health Development Team. Sarah has a wealth of experience and expertise in project management and working with young people and will be employed for 18 hours per week over the next two years.

HealthWorks is externally funded by Harlow Health Centre's Trust who have awarded £90,000 to the District over the next two years. The project will utilise a holistic approach to improving the health and wellbeing of young people aged 11 - 19 years living in Waltham Abbey, using innovative ways of engaging and supporting them. The project aims to encourage young people to adopt healthier lifestyles and positive attitudes towards their local community and their role within it. It is anticipated that this will be achieved through developing young people as role models, and providing them with mentoring and training to enable them to become local HealthWorks leaders.

The funding will also pay for a part time Project Assistant who will be appointed by Christmas 2010.

Community Services – External Funding Schedule 2009/10

The following list details the external funding secured via competitive bidding processes over the last 2 years.

Amount	Funding Body	Purpose of Award	Date
£244,000.00	Big Lottery Play Strategy Fund	To improve play and youth facilities in Epping Forest District	2008/9/10
£103,000.00	Renaissance in the Regions	Funding for Touring Museum Exhibitions	2008/9/10
£28,000.00	Essex County Council	To provide Music Schools across Epping Forest	2008/9/10
£21,000.00	Performance Reward Grant (LAA)	Targeted Trampolining programme for disadvantaged children and children with additional needs	2009
£26,000.00	Performance Reward Grant (LAA)	For provision of positive activities for young people	2009
£270,000.00	Essex County Council	Contribution towards Limes Farm Hall redevelopment for Extended School activity	2009

Amount	Funding Body	Purpose of Award	Date
£16,500.00	Community Cashback – Criminal Justice	Improvement of Ninefields Community Centre	2009
£13,000.00	Regional Museums Libraries & Arts	For 1 yr appointment of a Museum apprentice	2009
£26,000.00	Sportessex – Sport Unlimited programme	To provide a range of sports and dance courses for children, young people and adults	2009/10
£1,200.00	Sportessex – Get Back Into Sport	To provide opportunities for adults to get back into sport	2010
£90,000.00	Harlow Health Centre’s Trust	For development of HealthWorks Project for young people in Waltham Abbey	2010
£3,000.00	Local Schools Delivery Group	Support towards HealthWorks project	2010
£48,000.00	BLF via Essex County Council Play Builders	Towards the provision of a Skate Park in Town Mead Waltham Abbey	2010
£10,000.00	BLF via Essex County Council Aiming High For Disabled Children	For provision of a disabled hoist for trampolining and new coaching provision for children with disabilities	2010
£7,000.00	Local Schools Delivery Group	Towards ‘special’ trampolining programme	2010
£45,000.00	BLF via Essex County Council – Aiming High For Disabled Children	For provision of improved access to play facilities in Waltham Abbey and installation of new play equipment in Loughton	2010
£8,500.00	ECC Youth Opportunities	For development of Youth	2010

Amount	Funding Body	Purpose of Award	Date
	Fund	Council initiatives	
£1,600.00	ECC Museum's in Essex Fund & Renaissance In Regions (Govt Funding Scheme)	Towards renovation of the Museum's Victorian Gallery	2010
£800.00	Beyond The Frame – Project Fund	Educational Work	2010
£600.00	Renaissance in the Regions	Early Years	2010
£10,000.00	Renaissance in The Regions	Stories of the World Olympiad Project	2010
£13,600.00	Local Schools Delivery Group	For provision of free playscheme places for disadvantaged children	2010
£1,900.00	Rural Local Schools Delivery Group	For provision of free playscheme places for disadvantaged children	2010
£1,000.00	North Weald Parish Council	For Stay & Play provision at Norway House	2010
£400.00	Metropolitan Police Sports Club	For equipment purchase for playschemes	2010
£990,100.00	Total Funding Secured		

Community Arts

Cripsey Brook: A family event was held on 30 October to mark the creation of the new conservation area in Ongar. Epping Forest Arts worked with children from Chipping Ongar Primary School and residents from Finch Court Sheltered Accommodation to create a dance performance and a film to celebrate Cripsey Brook. The event was presented in partnership with Countrycare and Chipping Ongar Town Council

The Drawing Project: Over the year, Community Arts has been working with people with learning disabilities from Loughton Resource Day Centre, on a special drawing project. The drawings that have been made, represent visual conversations between the two parties and students from Davenant School and Loughton Youth Theatre

have also taken part in the project which culminated in an 3 week long exhibition at St Marys Church, Loughton

Loughton Youth Theatre: Participants have worked with Epping Forest Arts to create an installation of a miniature 'lit up Loughton' in cardboard for the Light Up Loughton event on Friday 26 November

ReAction – Girls Day of Dance: A day of workshops providing the opportunity to experience Street dance, African and Contemporary dance styles for students from schools across the district, was held at Debden High School on 23 November

Fusion – Boys Day of Dance

A day of workshops providing the opportunity to experience Hiphop, Capoeira and Contemporary dance styles for students from schools across the district, was held at Roding Valley High School in late October.

London 2012: Meetings have been held with Broxbourne Borough Council, Waltham Abbey Town Council, Hertfordshire County Council and Essex County Council to discuss partnership events and activities for 2012, including a cross border Film Festival, and a competition for local young film makers.

Report to the Council

Committee: Cabinet **Date:** 14 December 2010
Subject: Operational Planning & Transport
Portfolio Holder: Councillor Syd Stavrou **Item:** 7(h)

Recommending:

The report of the Operational Planning and Economic Development Portfolio Holder be noted

Operational Planning

On Friday 12 November, I met with John Preston and Stephan Solon who took me through the day to day procedures of the Planning and Economic Directorate in dealing with planning applications – from the applicant’s initial enquiry through to the determination of the application. It was apparent that there is considerable interaction between the professional officers and their support staff, with support staff (after suitable and appropriate training) performing tasks which professionals might have done in previous years. Conversely it was also interesting to note that professional officers now undertake many routine tasks that traditionally were provided by administrative staff, such as typing up their own reports etc. This amelioration of boundaries, together with the use of improved technology has resulted in a much more streamlined and efficient service for our residents. Work is continuing on scanning historical documents and as all new applications are routinely scanned and added to the system as they come in, this will greatly increase electronic access to growing amounts of material. The ultimate determination of the officer’s recommendation to committee, or in the case of delegated matters, the decision, is the result of several officers’ reviewing the application. The checks and balances written into the department’s procedures precludes any individual completely processing a matter without reference to and the involvement of (senior) colleagues.

It was noted with pleasure that EFDC Planning has joined a Chartered Institute of Public Finance Accountants (CIPFA) benchmarking club. There is now a Government consultation about allowing Councils to set their own planning fees, so the benchmarking will be of obvious benefit when we reach that stage. A holding response is being prepared prior to a report being submitted for consideration by the Planning Scrutiny Panel.

Parking reviews

I am pleased to be able to report that work has recommenced on the parking reviews. I have to remind Members that these are being undertaken on a phased basis and therefore it will, unfortunately be some time, before work on all of them is

complete. In the meantime however, I have been able to take some modest steps to assist residents in streets near Loughton Station by agreeing with Sainsbury's to double the number of parking spaces on site for their employees, thus reducing parking pressure in adjacent residential areas.

Decriminalised parking enforcement

Members will recall that I have spoken in the past of the County Council's decision to cease the current on street enforcement agency with the District as of 1 of April 2011. A lot of work has been undertaken in order to deliver this very important service in a way that does not result in significant losses being made, which have to be met by the County Council. It is probable that one or two parking partnerships will be established which will comprise of a number of districts working together, delivering enforcement for the County Council. The creation of these partnerships is a complex issue, not least because we are the only District with an outsourced parking enforcement operation. It remains the intention for the partnerships to commence in April 2011, but this may well be difficult to achieve. I will be presenting a report to Cabinet in the New Year with details of how this partnership process is developing.

Parking Reviews & Local Highways Panel

I will provide members with a verbal update at the meeting.

Report to the Council

Committee: Cabinet

Subject: Performance Management Portfolio

Date: 14 December 2010

Portfolio Holder: Councillor Richard Bassett

Item: 7 (i)

Recommending:

The report of the Performance Management Portfolio Holder be noted

National Indicator Set – Abolition

The Secretary of State for Communities and Local Government has recently written to the Council setting out changes to existing performance arrangements. The new arrangements detailed by the Secretary of State, provide for the revocation of statutory requirements to participate in the Local Area Agreement process, and the replacement of the existing National Indicator Set with a single list of data required to be provided to the Government by local authorities.

The current position is that the National Indicator Set will remain in force until 31 March 2011. This position is supported by guidance published by the Audit Commission, which indicates that data collection for the National Indicators will continue unless the Government makes specific announcements on individual indicators. Since the Secretary of State announced the demise of the National Indicator Set, the Department for Communities and Local Government has confirmed that local authorities will not be required to submit efficiency savings data through National Indicator 179 (Value For Money) in 2010/11. This indicator has therefore clearly been deleted, although no specific guidance has been issued in respect of any of the remaining National Indicators.

Whatever the exact position with regard to the cessation of the National Indicator Set, it will be appropriate for the Council to continue to monitor and internally report performance against each of the National Indicators that form part of our adopted KPIs until the end of 2010/11, even if not formally required to do so for the purpose of submitting performance returns to the Government. A number of the existing National Indicators are used as performance measures for the Council's Key Objectives for 2010/11, and therefore clearly need to be retained until at least the end of the year.

Key Objectives 2010/11 – Progress Report

The Council has sought to align the business, budget, and workforce planning and development processes over recent years, and these arrangements have provided an opportunity for the key objectives for each year to be incorporated within individual Directorate Business Plans, thereby further linking the various elements of the Council's performance management framework. For 2010/11, the key objectives were set by the Cabinet alongside the setting of the budget for the year, representing significant improvement over previous arrangements where key objectives were not determined until early in each municipal year, long after the budget for the year had been adopted.

A full update for the first half of the year will be presented at the Cabinet meeting on 6 December but in general good progress has been made in many areas against our set objectives. Included in the report is progress against Key Performance Indicators. At the end of the second quarter of the year, 21 (72.41%) of the Council's quarterly monitored KPIs had achieved the performance target for 2010/11. Current performance against each of the KPIs will be reported to the Finance and Performance Management Scrutiny Panel on 9 December 2010.

I am also pleased to report significant progress our numbers for the categories for planning applications, NI 157 (Target Major Applications 81%, Minor Applications 80%, Other Applications 94%). The cumulative performance to the end of the second quarter of the year is as follows:

NI 157(a) - 92.86%

NI 157(b) - 83.33%

NI 157(c) - 92.51%

Civic Offices and other operational Buildings and Commercial Properties – Planned Maintenance Programmes 2011/12

We are currently reviewing the approved capital and revenue plans for these buildings over the current and next four years. Following initial discussions and the spending review considerations we need to look seriously at all projects and review if any savings can be made. Obviously all safety and priority maintenance issues will need to be completed or planned but we need to review return on investment on several other schemes. The existing work on replacement of windows in the Condor building and other energy saving projects on the heating systems are progressing well and we are hoping for a considerable saving in energy expenditure following these works. To date works undertaken to better manage energy in various operational buildings has achieved a 4.1% reduction in carbon emissions during 2010/11.

Report to the Council

Committee: Cabinet

Date: 14 December 2010

Subject: Safer and Greener Portfolio

Item: 7(j)

Portfolio Holder: Councillor Penny Smith

Recommending:

That the report of the Safer and Greener Portfolio Holder be noted

Safe 'n' Sound

The Community Safety Partnership's "Safe 'n' Sound" initiative culminated at a well attended public meeting, held at Epping Forest College on the evening of 24 November. There was a lively public debate discussing issues such as budget cuts, burglary, traffic accidents, domestic violence and graffiti. In the two weeks prior to this event the Safe 'n' Sound initiative had provided a number of events around the District providing advice on a wide range of community safety issues.

Licensed premises

Unfortunately the District has once again seen some violence associated with a licensed premises within the District. Because this is an ongoing investigation you will appreciate that I cannot go into any specific details, but the Community Safety Partnership will be looking closely at this issue with colleagues from the Police and the Council's Licensing Team to see what steps ought to be taken to reduce these incidents.

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(a) Fees and Charges

By Councillor J M Whitehouse to Councillor C Whitbread, Finance and Economic Development Portfolio Holder

“With regard to the services for which the Council levies fees or charges, which services are:

- (a) operated so as to generate a surplus;
- (b) operated on the basis of full cost recovery;
- (c) operated on the basis of marginal cost recovery;
- (d) operated so that income makes a contribution to costs only?”

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Report to the Council

Committee: Cabinet

Date: 14 December 2010

Subject: Sustainable Community Strategy

Portfolio Holder: Councillor Collins (Leader of the Council)

Item: 13

Recommending:

That the Sustainable Community Strategy 2010 to 2031 “Putting Epping Forest First” be approved.

Background

1. The Council is required under the Local Government Act 2000 to agree a Sustainable Community Strategy. The Strategy must set out how partners from the public, private and voluntary sectors will unite together to “improve the economic, social and environmental wellbeing” of the local community.
2. The Local Strategic Partnership (LSP) agreed an original strategy in 2003 and in 2009 agreed that a wide ranging review should be undertaken. The aim of the review was to ensure that the new strategy would be intelligence led, based on the latest information about how the District and the needs of the local communities were changing, be driven by the priorities of local people and have greater focus on a small number of key priorities where the Partnership could “add value” and achieve real outcomes.

Production of the Strategy

3. The LSP established a Task and Finish Panel to lead work on the new strategy under the direction of the then Deputy Chief Executive of the Council.
4. The Panel launched two related projects to support the production of a new strategy:
 - (a) data analysis – a review of the key data held by the partners about changing demography and need in the District; this resulted in the report “Shaping the Future” and 32 ward profiles being produced; and
 - (b) consultation/establishing public priorities – over 1,000 groups and individuals responded through surveys, focus groups, and a stakeholder conference, ensuring that the new strategy would be focused on the issues important to local people and interest groups.
5. The results of these projects were incorporated into a draft strategy which was further amended at an LSP Board away day, attended by elected members and by a drafting group of volunteers from the LSP Board. It was agreed that the strategy should prioritise issues emerging from the consultation, but focus on a much smaller number of key objectives. The draft strategy was then approved for final consultation in June with requests for feedback by 2 August 2010. The strategy was then further amended in response to issues arising through the consultation process.

Contents of the New Community Strategy

6. The new strategy sets out a long term vision for the development of the area, and key values that will underpin how the Partnership will work.
7. The key objectives had been reduced from 57 to 11 and are clustered around the primary areas of:
 - (a) tackling crime and the fear of crime;
 - (b) health inequality;
 - (c) delivering sustainable communities; and
 - (d) supporting and protecting young people.
8. In view of the need to address the national deficit an additional priority area was identified around delivering better, more joined up and efficient working in the public sector to mitigate the impact of sustained reductions in public funding in the short and medium term.

Conclusion

9. The draft strategy has been produced with the help and support of a wide range of partners, key groups and many individual members of the public who have given their views. Voluntary Action Epping Forest in particular has provided invaluable support to the consultation stage with funding supplied by Essex County Council.
10. The new strategy provides a focused set of priority objectives that will help shape the business plans of key partners and provide guidance for the production of the Local Development Framework. The new vision is a clear statement of the ambition of the District and a goal for all partners to work towards.
11. The major strategic priority for the District and partners in the short and medium term, will remain tackling the public sector deficit, protecting services needed and valued by local communities. This will require vigorous effort to ensure that the District receives its fair share of external funding, grasps new opportunities to innovate in line with ideas such as the “Big Society” and delivers new platforms for more efficient service delivery with key partners.
12. The developing work of the West Essex Partnership will be central to the ability to deliver on all of these key aims, while managing reductions in Performance Reward Grant.
13. There are no financial implications for the Council arising directly from this report. However, the priorities agreed should act as a key reference for resource allocation for all partners.
- ... 14. We have considered the attached strategy and recommend as set out at the commencement of this report.



“Putting Epping Forest First”

THE COMMUNITY STRATEGY

2010 to 2031

August 2010



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Foreword

Welcome to the Community Strategy for the Epping Forest District setting out our plans to make Epping Forest a '**great place to live, work, study and do business**'.

We know the Epping Forest District is already a great place to be for the majority of our citizens. In recent surveys you have said you are very happy with your homes and this area as a place to live. However like you we at One Epping Forest are not complacent and we want to make our area and our communities even better and tackle those areas and problems where people face real difficulties.

To produce this new long term plan we have listened closely to local people and their priorities for improvement. We have also looked hard at the latest information and data from partners, telling us how things are changing and listened to our key stakeholders about what they think needs to be done. We have brought all this together in this strategy to provide a blueprint for how we should work together.

'Putting Epping Forest First' sets out our priorities for tackling the difficult issues that no single public service or agency can hope to tackle effectively on their own. Issues such as cutting crime and ill-health and protecting the green and unique character of our district for future generations to enjoy.

The vision, values, and objectives set out in this document are intended to provide long term guidance for our work over the next twenty years but will be reviewed frequently to ensure they remain relevant to people's concerns and changing times. They will be supported by annual action plans setting out in detail what will be done by the partners each year and performance indicators setting out how we will measure success.

This time, building on the experience of previous years the Partnership has taken a conscious decision to limit the number of its objectives. We want to focus our activities on a smaller number of key areas where we can make a real difference, addressing important issues that otherwise simply wouldn't be tackled effectively.

On behalf of the partnership, I'd like to thank all the agencies, groups and individual members of the public who have contributed to the production of this strategy.

Cllr. Diana Collins

Chairman, One Epping Forest

Introduction

What is One Epping Forest?

One Epping Forest is the Local Strategic Partnership for the District, originally established in 2002; it was restructured and renamed in 2009. The Partnership is made up of representatives from local councils, education, the police, health services and business and community groups. It exists to promote the economic, social and environmental well being of the district and deliver the shared vision, outcomes, and values enshrined in the Community Strategy. Its role is to bring all the agencies and groups that have a role in delivering these outcomes together, pooling and combining resources, talent and expertise, coordinating and leading activity with the one aim of ***‘Together making Epping Forest District a great place to live, work, study and do business’***.

What is a Community Strategy?

The Community Strategy is the long term plan to deliver better quality of life and improve the economic, social and environmental well being of the Epping Forest District over the next 20 years and beyond. Based on a clear understanding of local needs and residents priorities it seeks to support ‘sustainable communities’ for the future.

It is the cornerstone of all the other plans that affect public services and long term planning policies in the district included in the Local Development Framework which replaces the Local Plan. It tells local people, and importantly regional and national government, on whose support and cooperation we depend, how we will achieve the outcomes in this strategy. It brings together the key plans of partners into one coordinated local strategy including the Essex Strategy.

Our Vision

The central element of the strategy is a clear statement of our ambitions, a shared vision of what we want to achieve on behalf of our communities. This is set out below.

“Together making Epping Forest a great place to live, work, study and do business”

Making the most of our proximity to the capital while dealing with the challenges this poses to the protection of our green and unique environmental heritage. Building thriving, growing, cohesive and sustainable communities where improving quality of life, aspiration and attainment are achievable for all residents. A place where the different villages, towns and communities that make up our district are cherished and the public services that support them, work together as ONE, committed to excellence and efficiency’.



Outcomes

The outcomes set out below will be the focus for work in the four key theme areas the partnership has identified to enable us to deliver the overall vision. They set out the things we want to achieve and the place we want to become over the lifetime of the strategy.

Safe

‘A place where people work together so that all in our communities, especially the most vulnerable are able to lead lives free from the blight of crime and fear of crime and can play a full role in the life of their community in an environment that supports and sustains respect.’

Sustainable

‘A place with strong cohesive communities where together we protect, capitalise upon and enhance the green and unique heritage of our district but plan effectively for meeting the needs of current and future generations for decent homes, jobs, services and transport in a manner always sensitive to our environment.’

Healthy

‘A place where the health and well being of all our residents is promoted, with partners focusing on the communities that suffer the greatest health inequality, supporting them to transform their lives while positively tackling the other social and environmental factors which create the health divide.’

Aspiring

‘A place where all our children and young people are cherished and protected, where aspiration and attainment are prized and the infrastructure and support to make the area a beacon of learning excellence are provided.’



Managing performance

The partnership has agreed two overall measures of success which we will monitor yearly to see if the strategy is really making life better for our residents. These are:

- **Your opinions and satisfaction with Epping Forest District as a place to live**
- **Your thoughts about how able you are to really influence and control decisions in your local area.**

These two indicators will be supported by annual action plans which will set out in greater detail all the performance indicators and targets that we will use to test and monitor our effectiveness at delivering our objectives.

A Profile of Epping Forest District

Introduction

This section looks at some key facts about the district and the results of public consultation that has influenced the strategy.

Epping Forest District is an area of contrasts, a mix of urban and rural, wealthy and healthy, but with some of the most deprived places in Essex, green with open land, hedgerows and woodland where people aspire to live, but with problems of traffic congestion and pollution. A place with good communications and transport links in and out but difficult to get around without a car in some areas, particularly if you are young or old, and difficulties accessing services. While affluent in some areas in the main, social problems around crime and fear of crime, ill health, economic inactivity and disadvantage, are still apparent and often concentrated in the same key areas. Housing is at a premium and more affordable homes are needed, as are the jobs and infrastructure to support them. Yet a key message from residents is to protect and enhance what is special about the district, which is its green and unique heritage and its fragile eco-systems.

Some Key Facts

Population and place

- Most of the 131 square miles of our District are green and rural, with 94% of it being in the green belt (31,680 hectares).
- Approximately half of our 123,900 residents live in the areas comprising 5.2% of the district around the four towns of Loughton, Buckhurst Hill, Chigwell and Waltham Abbey, close to the boundary with Greater London.
- Most of the rest of the population live in a mixture of market towns such as Epping and Chipping Ongar, large villages such as Sheering, Theydon Bois and Nazeing or in small rural hamlets such as the Lavers. There is not a single homogenous population and historically, many communities have been small and isolated.
- Communication and access to services are a cause of concern. In the Epping Forest District, opportunity and access is inextricably linked to the ability to get about.
- The district is becoming one of the most ethnically diverse places in Essex, which is unsurprising given its proximity to the capital, one of the most cosmopolitan cities in the world. Epping Forest has the second highest number of Black and Minority Ethnic (BME) residents in Essex (18,300) and the second highest numbers of Gypsy and traveller residents in the county. It has the highest numbers of Ethnic Minority Group pupils at 15.5% compared with an Essex average of 9.6%.
- This district population is set to grow by 16% over the next 25 years, less than the Essex average of 24%. The area currently has fewer than average residents in the 15-34 age group, and higher than average residents in the 35-64 age group and the 75+ age group compared to England as a whole. There are 8,300 children at primary school, and 6,000 at secondary school. The 2001 census found 30% of households in the district had one or more people with a limiting long term illness.

Housing and development



Pressure for development has always been intense and the demand for more sustainable homes, jobs and leisure has never been greater. Levels of demand have contributed to high house prices pushing them beyond the means of many people on average and low incomes. In 2008 the district had the highest house prices in Essex, and the third highest in the 48 districts that make up the region. With an average income of £24,000 and an average house price of £351,000 the ratio of income to property prices was 14.2. Previous plans proposed an additional 3,500 new houses to be built by 2021 plus an estimated 3,000 more where the

boundaries of Harlow might expand into what is currently Epping Forest District. Demand for housing will also require sustainable local provision of jobs and services, placing more stress on a district already struggling to protect its fragile green areas and provide land to accommodate growth. Currently the district has 53,500 dwellings, 24% detached, 32% semi detached, 25% terraced and 19% flats. Of the total, 85% are in the private sector with 12% council and 3% social landlord. A significant proportion of properties are owned outright by householders. In March 2010 there were over 5,000 households on the Council Housing register, an increase of over 1,000 households (26%) over the previous two years.

Wealth and disadvantage

Epping Forest District has a reputation for great affluence which masks the existence of areas of deep social deprivation. The affluent and poor areas can often be located next to each other. Many residents enjoy a very high standard of living. For some people the 'Premier League' dream really does exist with some of the country's top footballers, club owners and managers living in the district. However the District scores mid table for Essex in the governments Indices of Multiple deprivation showing high levels of concentrated disadvantage in key areas such as Waltham Abbey. It also scores 3rd in the county for deprivation in relation to access to services and contains the most deprived ward against this measure.



Transport



Epping Forest is the only district in Essex to enjoy the benefits of London Underground services, although these are extremely crowded at peak times. Travelling to and from work in London is part of the daily routine for a large number of resident commuters. Despite rail and road links, many people struggle to travel in and around our district. High levels of car ownership leads to congestion which is in the

top 25% nationally, exacerbated by half the population of the district living in such a small area so close to London and by many other people travelling through on a daily basis. Future housing developments may lead to further pressure on roads and transport.

Health and well being



This is generally a healthy place to be but there are also profound health inequalities, with parts of the district showing some of the highest life expectancies in Essex, and some among the lowest, including one area in Waltham Abbey recording the second worst outcome on this measure in the county. The District recorded the 3rd highest variation in areas with the highest and lowest life expectancy in Essex. Almost nine years separates the areas in the district with the best and worst life expectancy, while the Essex

average variation is 6.8 years. The district has a smoking prevalence rate of 21.6% compared with an Essex average of 22.8%. The district has the highest numbers of people Killed or Seriously Injured (KSI) in car accidents in the county, but this has improved over recent years.

Obesity is on the increase locally especially among children with the most recent figures (2009) showing the position of the district deteriorating. Almost 9% of children in reception were found to be obese compared with an Essex average of 8.2%, a significantly worse figure than the year before. Other data has shown an obesity rate among adults of 23%, while the Essex average is 25%.

Education and children

Primary school education is perceived to be of a generally high standard throughout Epping Forest District. However, the picture becomes more mixed at secondary and further education levels, and the district does not have a major higher education institution within its boundaries. In 2008 the district was ranked 10 out of 12 Essex districts for success at GCSE, 58% of pupils achieved 5 or more A-C grades at GCSE compared to an Essex average of 63%. All schools have showed improvement in 2009. There are high levels of pupil mobility with almost 2,000 of the 14,000 pupils in the district coming from outside the area, almost 90% from outside Essex, against an Essex average of 3.5%. Almost 1,300 local children are transported outside the district to attend school. Epping Forest residents are the most dissatisfied in the county with their Local Education Authority. The district has low levels of 'looked after children' (20 per 10,000 compared to an Essex average of 43). The teenage conception rate in the district is 25.4 per 1,000 15-17 year olds compared to an England average of over 40.



Crime and safety



In comparison with many other places, Essex and the District of Epping Forest are safe places to live and this is reflected in the crime figures with the county being significantly below the national average for crimes per 1,000 of the population, and the district figure just slightly above the county average. Criminal damage and theft from vehicles are the largest crimes in the district. Crime fell by 8% last year following a general downward trend over previous years (down 18% in last 5 years); however

residents continue to believe it is increasing. Fear of crime and worries about vulnerability are disproportionately high in some areas and disconnected from actual

crime statistics. Often local areas with quite low levels of actual crime show high rates of fear of crime, higher even than in areas that do have significantly higher crime rates. People feeling unsafe outside in the evening and during the day are broadly in line with the Essex average (under 30% of people are fearful in the evening, and under 4% during the day). Crimes such as domestic burglary are proving much more difficult to drive down and remain a concern. Evidence indicates nearly half of offenders committing crime in the district live in London, which is unsurprising considering the proximity of the boundary with Greater London.

Economy and skills



The district has the lowest levels of NEET's (children Not in Education, Employment or Training) in the county and with 14% of its workers without qualifications it scores slightly below the county average. Epping Forest has the 3rd highest rate in Essex for working age adults with NVQ level 1 qualifications; 80%, behind Brentwood (80.2%) and Chelmsford (87.3%). However, only 57.2% of the working age population have an NVQ level 2 qualification (ranked 7th in Essex) and 35.4% have an NVQ level 3 qualification (ranked 8th in Essex). Epping Forest is below the County average for working age population with an NVQ level 4 or above; 19.6% (ranked 8th in Essex) of working-age adults, compared to 23.4%. Data shows that Epping Forest's unemployment rate has been just above the regional average since 2007, but is below the national average at around 5%. In July 2009, Epping Forest was slightly below the Eastern region average for number of Job Seekers Allowance (JSA) claimants at 3.3% of the population, compared to a regional average of 3.4% and a national average of 4.1%. Epping Forest has more people working as managers and professionals than the county, region and national averages. Similarly, there are fewer people in the sales / customer service / machine operatives / elementary occupations category than the rest of Essex, Eastern region and England. A key feature of the local economy is the high numbers who commute to the capital and the lack of large scale employers outside the public sector. In localised areas horticulture is prominent and farming features heavily in land use.

Your Voice Matters!

We asked local people what they thought about the district and areas for improvement and this is what they told us:

- Nine out of ten residents are already happy with their own homes and over 85% are satisfied overall with their local area as a place to live. In the areas with the poorest satisfaction scores, over 75% of residents still described themselves as satisfied overall.
- In terms of issues to be addressed, local people, in common with those across the county, have concerns around activities for teenagers, roads and pavements repairs and crime issues. However in Epping Forest specifically, protecting the green and unique environmental nature of the district is a major issue emerging across all groups and areas from recent consultation. This is a top local priority at the moment, second after crime in people responding to the "Your Voice Matters" consultation, and the top priority for the future along with addressing other green issues relating to carbon emissions.

The Community Strategy

- There are no issues or factors that residents rate highly important in making somewhere a good place to live and which they think are really in need of improvement locally.
- A substantial majority, over three quarters of residents, feel that this is a place where people from different backgrounds get on well together. Residents in Waltham Abbey and Loughton are particularly positive about this aspect.
- People locally are more likely to be dissatisfied with local bus services and local transport information.
- Only around a quarter of respondents feel that they can influence local decision making.
- Consultation with the public has also highlighted a perceived link between Anti-social behaviour and the need to create more activities and facilities for young people as alternatives to 'hanging around on street corners'.
- Young people taking part in the "Big Youth Debate" also echoed these concerns about crime and safety, but raised greater concern about issues around carbon emissions and the environment generally, and access to transport. The area of greatest concern however was for the provision of more activities for young people.
- Face to face group discussions with residents in some of the more deprived areas of the district show people are positive about where they live and their community, but have concerns about crime and anti-social behaviour.



Our Key Challenges

Some Key Issues to be Addressed

In order for One Epping Forest to take work forward it needs to understand what promotion of the 'economic, social and environmental well being' means for Epping Forest and what the partnership can do locally to improve quality of life and add value. These key challenges listed below have been drawn from the evidence from public consultation and information submitted by partners about issues to be addressed in the longer term. The point of the partnership and this strategy is not purely to describe the area and its problems but to work out what it needs to do collectively, and its partners individually to effectively address them. The main approach to meeting these challenges will be set out in this long term strategy, the practical projects will, in the main, be set out in the delivery plans which will be produced to manage activity in the short and medium term and in key plans such as the Local Development Plan and the Council Plan etc.

The key issues emerging from the research and consultation are set out below:

- *How do we protect the green and unique heritage of our district while making effective provision for a growing population for jobs, infrastructure and homes?*
- *How do we relate to London maximising the opportunities of our location without importing its drawbacks?*
- *How do we ensure that we fully play our role in meeting the future challenges of reducing carbon emissions, congestion and promoting greener living?*
- *Many residents are unable to buy and in desperate need of Council or Housing Association housing. How can we contribute to bridging the housing affordability gap so that we ensure that younger residents aren't forced out of the area to get on the housing ladder?*
- *How do we combat the disconnection between falling crime rates and non-declining fear of crime rates while making our communities even safer?*
- *How do we make sure that as our community becomes more diverse we meet the challenges of supporting these different communities with different needs effectively and build a climate of mutual respect?*
- *How do we achieve our potential with regard to educational attainment, continue to raise aspiration for all pupils and support our schools?*
- *What can we do to support the wider economy of the district so that we build prosperity that everyone can share? Focusing support for the rural economy in particular, to maintain its sustainability and developing enhanced access to services, reduced journeys and environmental damage.*
- *How do we make sure that the district gets its fair share of national, regional and countywide funding at a time of reducing public expenditure to support the priorities of local people?*
- *Should the partnership become a major voice for local communities, looking to exert greater influence over what is done by all the publically funded agencies operating in this area so that it really reflects local peoples needs and aspirations while services are better joined up and duplication reduced?*

The Community Strategy

- ***By pooling budgets and developing joint working arrangements, can the Partnership maximise output and get more value for money for its spending?***
- ***What should we do to improve activities for teenagers?***
- ***How should we promote active citizenship, engagement in community and social life, and empower communities locally?***
- ***What can the partnership really do to narrow the major gaps in health that exist locally between our most affluent and poorest areas?***



Meeting These Challenges

This section sets out the key themes and objectives that the partnership will pursue in the longer term and how it will measure its success.

Theme One - Safer

Why is this an issue?

All our research tells us that crime and particularly the fear of crime remain central issues for our residents even though the actual crime rate in our district has been declining for sometime and it remains below national averages. Those in our community that are young or old can feel particularly vulnerable and often fear of crime has a major negative effect on their quality of life and their ability to fully engage in all the good things that living



in our district has to offer. While our crime rate is comparatively low issues around domestic burglary, a particularly invasive and unsettling crime, continue to buck this downward trend and domestic violence is becoming an area of growing concern. The position of the district next to the capital, with tube and bus links giving easy access, continues to facilitate offenders travelling into and out of the area, a problem not encountered to the same degree in other areas in Essex and this is reflected in the crime figures.

Although significant advances have been made in improving the technical standards and coverage of CCTV within the district, our research tells us more needs to be done. The district council has adopted a CCTV strategy and action plan covering the next 3 to 5 years which will ensure practical and effective use of CCTV whilst not infringing on civil liberties. Parents and residents generally are concerned about provision of additional, purposeful activities for children while the Killed and Seriously Injured rate due to road accidents remains relatively high even though it is declining. Road Safety remains a key concern as do safety improvements to the road infrastructure and combating excessive speed, particularly in the forest.

The communities that make up our district are changing and our population is becoming more diverse, and while this can and does bring many benefits it can also bring challenges. While the vast majority of our residents, from whatever culture they come from wish to live in peace with their neighbors and provide an environment for themselves and their families to flourish there are some who wish to exhort people to carry out violent acts to bring about change. While most residents feel that people from different backgrounds and religions get on well together, it requires all parts of our community to work together to undermine those that would cause division and promote discord.

How will we measure success?

We will become a place where people work together so that all in our communities, especially the most vulnerable, are able to lead lives free from the blight of crime, and the fear of crime and can play a full role in the life of their community in an environment that supports and sustains respect.

What are we going to do about it?

Key Objective 1. Deliver innovative programmes to tackle fear of crime and promote respect, and enable all residents and stakeholders to play an active role in making their communities safer.

Key Objective 2. Build better links with partners in London, Hertfordshire and across Essex to deliver more integrated community safety programmes.

Theme Two - Sustainable

Why is this an issue?

Epping Forest District is a great place to live, and our residents tell us that a major factor in people living their lives here or aspiring to live here is its green and unique nature and environment. In our 'Your Voice Matters' survey this was one of the top two priorities for the Partnership to address now and the single most important issue for the future. The Forest, the Lee Valley Regional Park, formal and informal green spaces, and the fact that over 94% of the district is Green Belt are clearly assets that residents prize. Partners are aware of the need to constantly improve how we all protect the environment in its widest sense, reducing carbon emissions, recycling and reusing more and developing sustainable transport options tackling over reliance on the car.



One of the key environmental challenges the Partnership faces is the sustainable use of natural resources. By reducing consumption of resources such as electricity, gas, water and other materials, we can reduce our carbon emissions, contribute significantly to sustainable development in Epping Forest and influence others through the example we set.

It is now widely known that as a result of climate change, our region is expected to experience significantly warmer and wetter winters, hotter and drier summers and more frequent severe weather, in the form of heat waves and storms. Without decisive action climate change will have a severe impact on our communities' health and quality of life, economy and natural environment. It is therefore important that we prepare and plan for these changes by adapting and building resilience into our organisations and services. This will ensure business continuity and avoid unnecessary expenditure in the face of a changing climate.

However, there is recognition that the area must develop as the population grows and new creative and sustainable ways need to be found to conserve and reduce energy consumption, and meet the needs of future generations. This is an extremely difficult balance, particularly in an area where housing supply and affordability are key issues.



The district's rural nature and inadequate public transport also make it very difficult for people to get about without access to a car and, as such, car ownership is high. These challenges are compounded by significant hotspots of deprivation, including access to services in an otherwise affluent area requiring action by a range of partners if they are to be effectively addressed. The tube network in the district makes it accessible and an even more attractive place for commuters, but there are significant transport and development challenges around expanding access to the motorway network to employment opportunities outside the district, and tackling emissions from congested roads within the district.

While a significant proportion of the community already travels out, and others commute in, there remains the need to deliver enough good quality employment options in the district which can provide greater choice for residents and reduce the environmental impact of commuting. The aim is to enhance and further promote local economic productivity. The district has a strong culture of entrepreneurship and this should be

encouraged to ensure that this business start-up activity continues and has a good survival rate. An important area to explore and build on is the promotion of our built and natural heritage, encouraging tourism, making the district a destination for Londoners, promoting our unique town centres and capitalizing on our proximity to London as a gateway to Essex. Proposals to promote and expand high speed broadband links to enable more people to work from home in less urban settings, or changing the use of small barn complexes to sites for employment units might help boost the rural economy while meeting environmental concerns. The need to ensure an effective legacy from the Olympic Games and a concern that we should be using the environmental legacy we have to support employment and tourism more remains apparent. The district does not currently have a separate long term plan for economic development setting out the challenges the future might bring for the district, with an agreed vision with all stakeholders on how we meet them and compete effectively with other areas for inward investment. This would provide an effective base for engagement with central government and regional development agencies to ensure the area receives its fair share of grant aid in competition with other areas and can fully engage in new Local Enterprise Partnerships. The Partnership recognises that economic disadvantage can also have major impacts on ill health, crime and educational attainment, and it needs to prioritise work to build prosperity that everyone can share particularly in areas of high need in the district.

As our population grows and continues to change, provision needs to be made for additional housing in a manner appropriate to our overriding priority which is to protect and conserve the areas environmental heritage. This will put further pressure on available land, transport services and jobs. The continuing high cost of housing makes it very difficult for people, even with good incomes, to get on the housing ladder, and in many cases this leads to young people moving out of the district to access housing. More affordable housing is required than is being delivered and new targets have been proposed. Decisions need to be taken on the proportion of affordable homes on new developments and a new look taken at higher density provision for appropriate sections of the community, in appropriate areas and in consultation with local people. This would help meet need but also ensure that green space is not swallowed up. In an area where residents clearly place such a high value on protecting the environment, approvals should only be given for new build which meets the highest standards for energy efficiency and can provide 'lifetime homes'. These will be largely questions for the new Local Development Framework (LDF) which replaces the Local Plan but the analysis of public consultation and the evidence set out in this strategy should provide guidance.



While the natural and built environment, and requirements for jobs, homes and transport are key challenges, it is important to not lose sight of the importance of building sustainable communities. Supporting strong communities, which can help look after their neighbours and are able to take on the challenges of the 'Big Society', will be another key challenge. The real and potential loss of facilities in rural communities, but also in urban areas, as public expenditure contracts, will offer new opportunities for local communities to take on greater control of their areas.

How will we measure success?

We become a place where together we protect and enhance the green and unique environmental heritage of our district but plan effectively for meeting the needs of current and future generations for homes, jobs, services and transport in a manner always sensitive to our environment.

What are we going to do about it?

Key objective 3 Ensure that the protection of the Green Belt and the unique character of the district, together with capital infrastructure and carbon reduction improvements to promote greener travel options and reduce congestion, are major priorities in the Local Development Framework and a green strategy is produced which enhances environmental education and joint action between the partners.

Key objective 4 Devise and implement a long term Economic Development Strategy which identifies opportunities for growing and supporting skills, business and employment, including infrastructure to support rural enterprise and tackles economic deprivation in hotspot areas.

Key objective 5 Together support the provision of a range of affordable, innovative and environmentally friendly, lifetime housing including higher density homes in appropriate locations.

Theme Three - Healthier

Why is this an issue?

Health issues are fundamental to a person's quality of life and our district is a very healthy place to be for a majority of residents. We have some of the healthiest areas in the county, in terms of life expectancy, our health services in general are good, and, in the main, people are satisfied with the hospitals and primary care services which serve our area. In environmental terms, pollution and air quality can be poor in some areas due to high density of traffic but our housing is liked by over 90% of residents and over 90% of our properties already meet the 'decent home' standards and this will shortly reach 100%. The need for health and social care services locally is expected to increase as the population ages. Locally our age structure is already older than the national average, and over the next 15 years the over 65s will increase by 27% and the over 85s by 52%. The



district also has some of the widest disparities in health in Essex and both these factors while impacting on individuals and their families also have significant implications for service providers and public resource allocation. The gap between the areas with the best and worst life expectancy is significant. Understanding why this health inequality exists locally and taking concerted action to address the factors that are making it happen should be key aims. The Partnership needs to understand what lifestyle factors, environmental issues or access to services, advice and support might be underlying this problem and to intervene where possible and practicable. On many indicators of ill health, Waltham Abbey and the surrounding area appears to have poorer health than the rest of the district. Some places also appear to have falling life expectancy when the trend is for inexorably rising life expectancy elsewhere. Obesity is becoming a greater problem nationally and locally, and is a particular cause of concern among children. On average, the district has lower smoking prevalence, alcohol misuse and teenage conception rates than the rest of the country but there are pockets within the district where they are higher.

How will we measure success?

We become a place where all our residents are helped to live healthy, active lives, with partners focusing resources on the communities that suffer the poorest health, supporting them to transform their lives, and where social and environmental factors which create the health divide are tackled and addressed effectively.

What are we going to do about it?

Key objective 6. Prioritise interventions to reduce health inequalities, targeting resources to the areas and people with poorer health, while improving access to services and addressing the lifestyle related, environmental and other causes of ill health.

Key Objective 7. Champion, identify and support partnership projects that help to promote healthy living and 'well being' across the district, sharing information and resources effectively.

Theme 4 - Aspiring

Why is this an issue?

While our overall performance is good in ensuring our young people are in education, training or employment, this remains a key area for action in the future. There are almost 30,000 children and young people living in Epping Forest District. Drawn from an increasing diverse range of ethnic backgrounds, many live, like 35% of the population, in small rural settlements in the green belt. While the district has very significant and often hidden areas of disadvantage it remains a fairly affluent area with some very good schools especially at primary level, but our overall educational attainment level has been



below where we might expect it to be at secondary level. This has a real impact on children's life chances (particularly those children from the most deprived areas); their employment and health prospects and a range of other important 'quality of life issues'. Many parents recognise this and place their children in schools and colleges outside the district; we have the highest numbers of children travelling both in and out of the district to attend school. This attainment gap and 'out commute' also has major implications for building strength and achievement in local education provision, as well as impacting on the environment and community cohesion.

The area does not currently have a major higher education institution within its borders, and cannot offer the full range of opportunities locally. The proximity to London and the range of world class colleges and universities which exist there makes this less of an issue; however, opportunities around a new/relocated campus/institution capitalising on the unique character of the district might be a reasonable aspiration to be pursued given the districts environmental heritage and its location right next to London.

While thankfully there are relatively few children and young people at risk in the district our priority must always be to work effectively in partnership to safeguard and promote wellbeing. Obesity and its associated health issues are a growing problem among young people and the rates in Epping Forest District are increasing, while the teenage pregnancy rate has come down, termination rates are higher than the East of England average and both these factors pose major challenges for both the individual and wider society which needs to support them. It remains a core goal of the partnership, and a priority for residents and young people to provide good quality, organised activities to enable our younger residents to have fun, thrive and grow and learn in a safe environment. New opportunities for developing 'lifelong learning' and building effective 'early years provision' will have major benefits for individuals, families and the wider community.

How will we measure success?

We become a place where all our children and young people are cherished and protected, where aspiration and attainment are prized and the infrastructure and support to make the area a beacon of excellence in education and learning is provided.

What are we going to do about it?

Key Objective 8. Improve partnerships and strengthen capacity to increase attainment in our schools and college and develop new plans for capital investment and enhanced higher education opportunities in the district.

Key objective 9. Support, and challenge arrangements for safeguarding our most vulnerable children while investing in purposeful activities to give all our young people the best and healthiest start in life.

Delivering the Strategy - Excellent Public Services

Central to the Partnerships ability to deliver the objectives listed in this document will be the quality of services provided locally, particularly those in the public sector.

We want to be a place characterised by 'Joined-up', public services that share information and resources, pool and align budgets and deliver value for money. The Partnership needs to maximize the effectiveness of public spending and prioritise frontline services, to make a real contribution to quality of life in our district.

This is an issue because over £8 billion of public money is spent each year in Essex, a proportion of this in Epping Forest and these budgets will undoubtedly be reduced in the coming years. This funding helps provide a wide range of important and valued public services, from schools and colleges, hospitals and health centre's to benefits and social services, housing and transport.

The list of services is very long, as is the number of different organisations that deliver them. Many of these are controlled directly by central government, and often they are centrally driven and links between each of those agencies, providing services locally, are often under developed. Problems of duplication and a lack of coherence can result in a poor service to the citizen, inefficiency and waste.

Given the necessity of making significant savings in public spending in order to reduce the public sector deficit, it is important to drive out waste, building better, closer management ties between public services and develop new structures that streamline and focus scarce resources at areas of greatest need. The 'Big Society' and new approaches to providing services more efficiently in a difficult economic period offer new opportunities for local communities, businesses and the voluntary sector to work with partners to provide services and facilities that local people value and need. The West Essex Partnership (WEP), including One Epping Forest, has been established and its work programme is being developed to help agencies providing public services across West Essex to better coordinate, plan and join up their services. To ensure that the area does not lose out in competitive bidding processes, the Partnership will need to ensure that strong links are built with government, and it engages effectively with decision makers so that they fully understand the problems and challenges the area faces.

The key objectives below will focus the work of the partnership to support the delivery of outcomes set out in this strategy:

- a) Build better links with county, regional and central government funding agencies to ensure Epping Forest District receives a fair share of external funding.**
- b) Establish mechanisms to promote, support and deliver better joined up public services locally.**

Our Core Values

Set out below are the values that will underpin how the Partnership will undertake all its work. All the agencies involved in the partnership will adopt these principles in their work collectively and individually in Epping Forest.

Listening

We will listen and communicate effectively with all our communities, promoting opportunities for local people to shape and direct how the Partnership works.

Innovation

We will learn from best practice elsewhere, looking for new ideas that will help the partnership to deliver better services.

Equality

We will strive to promote equality and support community cohesion in everything we do, recognising and meeting, where possible, the differing needs and experiences of all our residents, while fostering mutual respect.

Mixed Economy

We will concentrate on putting the customer and citizen first, developing a mixed economy of service delivery, involving the public, private and voluntary sectors.

Valuing Partners

We will value all our partners and their staff who are helping to deliver “Putting Epping Forest First”, supporting flexible inter-agency working and ensuring the principles of the Essex Compact are enshrined in all our work.

Total Place

We will strive to manage all our spending more effectively together and join up public provision where possible and in the interest of customers.

Appendix 1 - What are we going to do about it?

Vision	<p style="text-align: center;">Together making Epping Forest a great place to live, work, study and do business</p> <p>Making the most of our proximity to the capital while dealing with the challenges this poses to the protection of our green and unique environmental heritage. Building thriving, growing, cohesive and sustainable communities where improving quality of life, aspiration and attainment are achievable for all residents. A place where the different villages, towns and communities that make up our district are cherished and the public services that support them, work together as ONE, committed to excellence and efficiency.</p>			
Theme	<p style="text-align: center;">Theme one Safe</p>	<p style="text-align: center;">Theme two Sustainable</p>	<p style="text-align: center;">Theme three Healthy</p>	<p style="text-align: center;">Theme four Aspiring</p>
What are we going to do about it?	<p>a) Build better links with county, regional and central government funding agencies to ensure Epping Forest receives a fair share of external funding</p>			
	<p>b) Establish mechanisms to promote, support and deliver better joined up public services locally</p>			
	<p>1. Deliver innovative programmes to tackle fear of crime and promote respect, and enable all residents and stakeholders to play an active role in making their communities safer.</p>	<p>3. Ensure that the protection of the Green Belt and the unique character of the district, together with capital infrastructure and carbon reduction improvements to promote greener travel options and reduce congestion, are major priorities in the Local Development Framework and a green strategy is produced which enhances environmental education and joint action between the partners.</p>	<p>6. Prioritise interventions to reduce health inequalities, targeting resources to the areas and people with poorer health, while improving access to services and addressing the lifestyle related, environmental and other causes of ill health.</p>	<p>8. Improve partnerships and strengthen capacity to increase attainment in our schools and college and develop new plans for capital investment and enhanced higher education opportunities in the district.</p>
<p>2. Build better links with partners in London, Hertfordshire and across Essex to deliver more integrated community safety programmes.</p>	<p>4. Devise and implement a long term Economic Development Strategy which identifies opportunities for growing and supporting skills, business and employment, including infrastructure to support rural enterprise and tackles the economic deprivation in hotspot areas.</p>	<p>7. Champion, identify and support partnership projects that help to promote healthy living and 'well being' across the district, sharing information and resources effectively.</p>	<p>9. Support, and challenge arrangements for safeguarding our most vulnerable children while investing in purposeful activities to give all our young people the best and healthiest start in life.</p>	
<p>5. Together support the provision of a range of affordable, innovative and environmentally friendly, lifetime housing including high density homes on appropriate sites.</p>				
Success Measurement	<p>A place where people work together so that all in our communities, especially the most vulnerable are able to lead lives free from the blight of crime and fear of crime and can play a full role in the life of their community in an environment that supports and sustains respect.</p>	<p>A place with strong cohesive communities where together we protect, capitalise upon and enhance the green and unique heritage of our district but plan effectively for meeting the needs of current and future generations for decent homes, jobs, services and transport in a manner always sensitive to our environment.</p>	<p>A place where the health and well being of all our residents is promoted, with partners focusing on the communities that suffer the greatest health inequality, supporting them to transform their lives while positively tackling the other social and environmental factors which create the health divide.</p>	<p>A place where all our children and young people are cherished and protected, where aspiration and attainment are prized and the infrastructure and support to make the area a beacon of learning excellence are provided.</p>

Appendix 2 - One Epping Forest is supported by these organisations

City of London Corporation
Epping Forest District Council
Epping Forest College
Epping Forest Community Transport
Essex County Council
Essex Fire Service
Essex Police
Federation of Small Businesses
Jobcentre Plus
Lee Valley Regional Park Authority
Local Business
Multi Faith Forum
NHS West Essex
Parish Councils
Voluntary Action Epping Forest

Report to the Council

Committee: Cabinet **Date:** 14 December 2010
Subject: Unplanned Emergency Items - Funding
Portfolio Holder: Councillor Whitbread (Finance and Economic Development) **Item:** 14

Recommending:

That the increase in District Development Funding of £27,790 from the refund of National Non-Domestic Rates for Waltham Abbey Sports Centre be utilised to finance the following one-off unplanned emergency works totalling £25,693:

- (a) emergency ditch work at North Weald Airfield;**
 - (b) investigation of the Bund at North Weald Airfield;**
 - (c) security at Roding Valley; and**
 - (d) security at North Weald Airfield (two incidents)**
-

Background

1. There have been occasions during the current financial year when emergency works/services had to be undertaken due to unforeseen circumstances. At the time action was required, Finance and Environment and Street Scene Officers discussed the options, risks to the Council if the work was not undertaken and decisions were made on the findings. The works were undertaken on the understanding that future funding would need to be found without increasing the Continuing Services Budget. This report outlines the work undertaken and proposals for financing that work.

Emergency Ditch Work at North Weald Airfield

2. The Council is responsible for the clearance of ditches and culverts in Church Lane, North Weald. When urgent works were identified it was deemed the responsibility of the Council as riparian owners and the fact that the klargester from the gymnasium on Merlin Way ran into the ditches. The works cost £4,896 and it was hoped that this could be met by a reduction in the electricity costs. However, this reduction has not been achieved and alternative funding became necessary.

Investigation of the Bund at North Weald Airfield

3. The Bund that runs within the North Weald Airfield perimeter along the M11 Motorway has been the subject of investigation to see whether there is any likelihood that there would be movement of the structure which could then lead to slippage onto the motorway carriageway. Investigative work needed to be carried out at the end of the 2009/10 financial year but it was not completed until June 2010. As a result the cost falls within the 2010/11 budget. The financial situation was highlighted at the end of the 2009/10 financial year and it was recommended that the funding issue be looked at again at revised budget time. The cost of the work was £6,000 and further ongoing

monitoring has to be completed and officers are awaiting a quotation for this work. The monitoring work yet to be carried out and the requirement for further funding will be the subject of a further report to the Cabinet.

Security at Roding Valley

4. Roding Valley Lake bank erosion works were undertaken in July 2010. The contractor had a caravan and person on site for the duration of the works to safeguard the resources, being stored on site. Council Officers were called to a serious on-site situation when the contractor's caravan and the representative were being abused by vandals, with missiles being hurled around. Police presence was required. It was advised by the Police that a security presence should be in place at night whilst the contractor was on site. This involved the cost of £2,197.

Security at North Weald Airfield

5. North Weald Airfield has experienced two occurrences during the financial year when travellers had positioned themselves opposite at the Airfield. The Airfield does not have any security or staff between 7 p.m. and 7 a.m. and therefore the risk to the facility and tenants and the duty of care of the Council was reviewed during this period. It was assessed that an overnight security company should be engaged as a presence on the Airfield during the time that Council Officers were not on site and for the duration of the travellers' presence. The cost of this presence amounted to £12,600.

Funding

6. The items outlined above total £25,693. There has been a refund of business rate for Waltham Abbey Sports Centre of £27,790 and we are recommending that these emergency one-off, unplanned items are funded within the Environment and Street Scene Budget by this income.

Report to Council

Date of meeting: 14 December 2010

Subject: Revised Petitions Scheme

Chairman: Councillor Richard Morgan



Recommendations:

- (1) That the revised Petitions Scheme be approved, as shown in the attached Appendix, incorporating the following elements:**
 - (a) requirements for and arrangements for responding to petitions;**
 - (b) each petition to be open for signature for a period of up to 3 months following its receipt by the District Council;**
 - (c) involvement of partner organisations in the petitions process;**
 - (d) a percentage threshold of 2% of the District's population (2,400) in terms of signatories to a petition required to trigger a debate at full Council;**
 - (e) a percentage threshold of 1% of the District's population (1,200) in terms of signatories to a petition required to trigger attendance of a 'Senior Officer' at an Overview and Scrutiny meeting to give evidence on a matter;**
 - (f) publication on the Council's website; and**
 - (g) provision of a facility for making electronic petitions to be in place by 15 December 2010;**

- (2) That the Assistant to the Chief Executive be authorised to publish the new Petitions Scheme in the Constitution together with consequential changes to the Council Procedure Rules and the Overview and Scrutiny Procedure Rules and to make other necessary amendments to the Constitution; and**

- (3) That the operation of the revised Petitions Scheme and its impact be reviewed in the summer of 2011.**

1. We have received a report from the Constitutional and Member Services Standing Panel (SSP) which has considered the implications of the Local Democracy, Economic Development and Construction Act 2009, and subsequent statutory guidance, in respect of the duty to respond to petitions. In particular, SSP has looked at the requirement for the new scheme to be approved by the full Council; publication on the Council's website; provision of a facility for making electronic petitions to be in place by 15 December 2010; the requirements for responding to petitions; involvement of partner organisations in the petitions process; and the trigger levels required for there to be a debate of the full Council or for a senior local government officer to give evidence at a meeting of the authority's Overview and Scrutiny Committee.

2. At its 24 June 2010 meeting, SSP approved a draft containing the elements referred to above, to form the basis of the new scheme to be put forward for adoption by the Council. However, to be able to make a more informed decision about the trigger levels which should be applied, SSP asked for details to be made available of the types of issue referred to in petitions received, by the Council, in recent years, and the extent of the geographical area impacted on by the different issues referred to in these petitions. These additional details were made available and discussed by SSP at its meeting on 9 November 2010.

3. In a letter of 24 September 2010, the Government advised local authorities that the statutory guidance was to be withdrawn, with local authorities to have more discretion on how to deal with

petitions locally. Nonetheless the primary legislation, including the requirement to introduce a facility to make e-petitions, by 15 December 2010 remains in force.

2. Main Provisions:

4. The 2009 Act requires all principal local authorities in England to establish a scheme for handling petitions made to the authority.

5. The scheme must be approved by a meeting of the Full Council before it comes into force. In addition, it must be published on the local authority's website and by any other method appropriate for bringing it to the attention of those who live, work or study in its area. It can be revised at any time but the revised scheme must be approved and publicised in the same way. A signatory to a petition can be anyone who lives, works or studies in the local authority area, including under 18's. Furthermore, petitions must be acknowledged within a time period specified by the local authority. Among the many possible steps that the principal local authority may choose to take in response to a petition, the following must be included in the options listed in the scheme:

- (a) taking the action requested in the petition;
- (b) considering the petition at a meeting of the authority;
- (c) holding an enquiry;
- (d) referring the petition to Overview and Scrutiny Committee;
- (e) holding a public meeting;
- (f) commissioning research;
- (g) a written response setting out the authority's views on the request in the petition.

6. Petitions with a significant level of support trigger the requirement for a debate of the issue concerned at a full Council meeting, Local authorities can determine this threshold but it can be no higher than 5% of the local population. Likewise, petitions with a requisite level of support trigger the requirement for a senior local government officer to give evidence at a meeting of the authority's Overview and Scrutiny Committee.

Rejection of Petitions:

7. Because established processes already existed, the following matters were excluded from the scope of the petitions duty:

- (a) any matter relating to a planning decision;
- (b) any matter relating to an alcohol, gambling or sex establishment licensing decision; and
- (c) any matter relating to an individual or entity in respect of which that individual or entity had a right of course to a review or right of appeal.

Involvement of Partner Bodies in the Petitions Process:

8. As community leaders and place-shapers, local authorities have a key interest in issues which, although wider than the remit covered by their specific functions, affect the local area. Petitions are a valuable opportunity for local authorities to demonstrate strong leadership on issues of concern to the community.

9. The Act requires top tier authorities (Counties and Unitary Authorities) to respond to petitions relating to the economic, social or environmental well-being of the area – in effect this means they must deal with petitions which refer to the functions of partner authorities. There is no specific mention of such a duty on District Councils. However, SPP was of the opinion that including a reference to the functions of partner bodies in the petitions scheme would illustrate the fact that the District Council is acting as an advocate for the local community and working with partners to resolve the issue. Under the proposed scheme it would be for the Portfolio Holder (or Council) to determine how the Council would respond, which might include referral to another body or working with partners to find a solution. Accordingly we are recommending inclusion of arrangements for involving partner bodies, and the issues they are responsible for, in the new scheme.

Trigger Levels/Thresholds:

10. To help it determine the trigger levels/thresholds which should be applied SSP considered an analysis of the various petitions received by the Council from the 2005/06 Council year to date, in chronological sequence, categorised by type and the area which would be applicable. Some issues are clearly 'locality specific' whilst others cut across a number of wards. There are those that impact on a District-wide basis and some which affect other Districts.

11. The SSP received information on population levels for various 'sample' local authorities and the trigger levels set by the local authorities concerned in their newly agreed petitions schemes. The Panel noted that, whilst the maximum trigger level which could be applied is 5%, there was a range of trigger levels being used, starting from 1% of the population in respect of the requirement for a Council debate and 0.5% for senior officer attendance at Overview and Scrutiny Committee, up to the maximum of 5%..

12. Few local authorities make specific reference to a separate trigger level being applied in respect of 'localised' issues. Most schemes are silent in that regard. One authority which does make reference to these issues, however, is Brentwood and The Panel received details of the Brentwood Scheme. This sets a threshold of 200 signatories for a Council debate in respect of parish/ward issues and 100 for such an issue to be referred to Overview and Scrutiny Committee with a senior officer required to be in attendance.

13. After consideration of the options available, SSP recommended a 2% trigger level (2,400 signatories) for the requirement for a Council debate and 1% (1,200 signatories) for senior officer attendance. Whilst recommending that a separate trigger level for localised (ie Parish/ Ward/issues should not be set at this stage, the SPP felt this option should be reconsidered when the first periodic review of the trigger levels and the operation of the new scheme was carried out.

14. We had a debate on the issues around the 'trigger' levels and, in particular, considered whether a trigger level lower than the 1,200 signatories for senior officer attendance, might be more suitable. After deliberation, and aware that there would be a further opportunity to discuss the trigger levels at the review stage, however, we concurred with the recommendations of The Panel.

E-Petitions:

15. The 2009 Act applies the same requirements to electronic petitions as to paper petitions, except for the following:

- (a) local authorities are only required to respond to e-petitions made through their e-petition facility;
- (b) local authorities must decide, whether the petition is appropriate for publishing on their facility;
- (c) local authorities to decide what equates to a signature on a petition; and
- (d) local authorities required to provide a facility for people to submit petitions electronically.

16. Principal local authorities, when designing their scheme, are expected to ensure that the scheme is appropriate to their area, that the process is easy for citizens to use and the scheme accessible to all. The Panel took all these issues into account whilst also being mindful of practical considerations, such as extending the scheme to other petitioners' sites, tracking down and responding to petitioners, and validating the authenticity of signatures.

17. Whilst recognising that the Government is now indicating there is now more flexibility in terms of how to respond to petitions locally and what might be incorporated in a new scheme, The Panel recommended to us that it is preferable to finalise the new scheme in readiness for the implementation of the e-petition requirements. Having considered the Panel's report on how the provisions should be applied by the District Council, we concurred with its proposals for a revised

scheme.

Review of the New Scheme:

18. Given that several aspects of the new scheme represent a significant 'departure' from the previous scheme, and the difficulties in establishing appropriate 'trigger' levels, it is suggested that the operation and impact of, the new scheme be reviewed at an early stage. We are therefore recommending that the first review of the scheme take place in the summer of 2011.

19. There are only minor costs associated with the introduction of the new petitions scheme.

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

Petition Scheme – Epping Forest District Council

1. Introduction

Epping Forest District Council recognises the importance of petitions as a means of engaging more meaningfully with local communities, enabling the public to let us know about their concerns and as a mechanism for generating service improvements.

This Protocol sets out how the public can submit a petition, how it will be dealt with and what the Council can do to respond to the issues raised.

2. How to submit a petition

We accept paper based petitions, e-petitions or a mix of paper and e-petitions.

Paper petitions can be sent to:

Assistant to the Chief Executive
Epping Forest District Council
Civic Offices
High Street
Epping, Essex
CM16 4BZ

Or **e-Petitions** can be created, signed and submitted online by following this link to our e-petitions system [\[link\]](#)

All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

3. Exceptions to Petitions

The following are examples of petitions that do not fall within the scope of this petitions scheme:

(a) We do not accept emailed petitions as email systems are not secure. You must use either paper or our e-petitions system.

(b) Petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

- (c) We do not accept Petitions relating to a planning decision; (as the Planning application process deals with objections to applications), including about a development plan document or the community infrastructure levy.
- (d) We do not accept Petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications)
- (e) We do not accept Petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal.
- (f) Any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process.
- (g) Any complaint made against an employee of the District Council.
- (h) Any matter which is substantially the same as a petition submitted in the previous 12 months.
- (i) Where the subject matter is subject to ongoing legal proceedings.

Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petitions Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.

4. *What are the guidelines for submitting a petition?*

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take.
- the name and address and signature of any person supporting the petition.
- contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

5. *Who can sign a petition?*

Anyone who lives, works or studies in Epping Forest District can sign to support a petition including those under 18. The Council may ask for a valid email address and/or postcode if you sign an e-Petition on the Council's website. For paper petitions signatories must provide their signature, name and address.

6. *What will the council do when it receives my petition?*

If the Petition is submitted fully completed, an acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them

know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If the petitioner contacts the Council to start an e-Petition, then the Council and the Lead Petitioner will agree the period over which signatures will be collected and to agree the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.

If the petition has enough signatures to trigger a council debate, or a Senior Officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place.

If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. We will advise you if this is the case and on the correct procedure to be followed.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us. [link to account settings]

7. *How will the council respond to petitions?*

If your petition receives 2400 signatures or more it will also be scheduled for a council debate [link to section on Full Council Debates] and if this is the case we will let you know whether this will happen

Correspondence with fewer than 20 (needs to be determined) signatures shall normally be dealt with by the appropriate Service as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.

Petitions with less than 2400 signatures will be considered and dealt with by the relevant portfolio holder who may:

- (a) take action if he or she has delegated powers to act alone;

(b) refer the matter to the Cabinet or a Sub-Committee of the Cabinet for decision.

All decisions made by the Portfolio Holder will be recorded in writing and signed in the format prescribed in the Key Decision Regulations and notified to the public, the lead petitioner and all members of the Council.

In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the Service Director unless the petition meets the threshold for a Council debate:

(a) a letter of acknowledgement shall be sent, including a statement of the action already taken by the Council;

(b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;

(c) if it is decided that no new matters are raised by the petition, the petitioners shall be advised accordingly;

(d) if new matters are raised then the petition will be treated as new under this scheme.

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee¹ or to the Cabinet or a Cabinet Committee
- writing to the petition organiser setting out our views about the request in the petition

In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the council has no direct control (for example healthcare or transport) we will consider making representations on behalf of the community to the relevant body. Should a petition calling for support call for something that goes against stated Council policy, the District Council may choose to say 'no' to the request.

¹ Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you.

You can find more information on the services for which the council is responsible here [\[link\]](#).

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

8. Full council debates

If a petition contains more than 2400 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.

The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the Cabinet or a relevant Cabinet committee.

Where the issue is one on which the council executive are required to make the final decision (i.e within the financial and policy framework), the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

9. Officer evidence

Your petition may ask for a Senior Officer² to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a Senior Officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 1200 signatures, the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee or if appropriate one its Panels.

You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The

² For the purpose of this Scheme Senior Officer means Chief Executive, Deputy Chief Executive, Service Director or Assistant Service Director

committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting Democratic Services up to three working days before the meeting. You will be informed when and where this meeting will take place.

10. E-petitions

The council accepts only e-petitions which are created and submitted through our website [\[link\]](#). E-petitions must follow the same guidelines as paper petitions

The petition organiser will need to provide us with their name, postal address and email address and contact details. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 6 months.

When you create an e-petition, it may take 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. Our reasons for not publishing a petition will be linked to the exceptions section above. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to either the relevant officer, portfolio holder or Council In the same way as a paper petition, you will receive an acknowledgement within 10 working days.

11. How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here [\[insert link\]](#). When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition.

People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

12. What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's overview and scrutiny committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter.

These powers include instigating an investigation, making recommendations to the council or executive and arranging for the matter to be considered at a meeting of the full council. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

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Report to the Council

Report of: Community Governance Review Committee

Date: 14 December 2010

Subject: Community Governance Review – Moreton, Bobbingworth and The Lavers (MBL)

Chairman: Councillor John Philip

Item: 16

Recommendations:

- (1) That the name of the Committee be changed to “Electoral and Community Governance Review Committee”;**
 - (2) That the terms of reference of the Committee be extended to allow the Committee to respond directly to any proposed Parliamentary Constituency Review Consultation if there is insufficient time to submit recommendations to the Council, all such responses to be subject to ratification at the next available Council meeting; and**
 - (3) That the current position on the review of MBL Parish Council be noted.**
-

1. As the Council will recall, we were appointed at its meeting on 30 June 2010 (Minute 32) to undertake a Community Governance Review. Our terms of reference required us to examine the issue of re-warding of High Laver, Little Laver, and Magdalen Laver into one new ward known as “The Lavers”, and to deal with the upcoming Parliamentary Constituency Review. Under the relevant legislation, this Community Governance Review must be completed by June 2011.
2. Our first stage of consultation has now been completed, showing a majority in favour of this change to the Laver wards. The consultation also demonstrated public interest in re-drawing the boundary between Matching and MBL Parishes in the village of Matching Green.
3. We have examined this boundary, which divides Matching Parish along the Green, and believe it to be anomalous and detrimental to community governance. We are now undertaking a second stage of consultation to make a firm proposal regarding the re-warding of the three Laver wards, and to consult residents in MBL and Matching on this newly proposed boundary change.
4. This second stage of consultation will also ask for feedback on proposed changes to the number of Parish Councillors, to reflect the new distribution of electors from the boundary change at Matching. This consultation will suggest a reduction of up to two Parish Councillors in MBL, with an increase of up to two Parish Councillors in Matching. The consultation will also demonstrate any consequential effects on District Wards and County Electoral Divisions which, along with Parliamentary Constituency Boundary, share the Matching/MBL boundary.

5. We will discuss the outcome of this second stage at our next meeting on 1 March 2011.

Parliamentary Constituency Review

6. As included in our terms of reference, we also considered a report on the forthcoming review being undertaken by the Boundary Committee for Parliamentary Constituencies. This review is to be reported to the Government by October 2013, in time to implement the new constituencies in the General Election in May 2015.
7. We are concerned about the extent to which the Commission will consult Councils about these changes. Following the example set by previous electoral reviews, it is possible that the Commission's response deadline will not fit in with the programme of Council meetings.
8. Our second recommendation seeks to address the need to respond to these deadlines promptly. It is designed to deal with situations where there may not be time to make recommendations to the Council.
9. If the timescale does permit, we would still report to Council with recommendations. Our recommendation also requires a report for confirmation of the comments made if the delegated authority has been used.
10. We have also recommended that our title should be amended to reflect the wider range of electoral reviews for which we will be responsible.

Report to the Council

Report of: Committee for the Appointment of
a Chief Executive

Date: 16 November 2010

Chairman: Councillor Mrs D Collins

Item: 18

1. APPOINTMENT OF CHIEF EXECUTIVE

Recommending:

(1) That this Committee be delegated the task under Regulation 3(i) and Part II of Schedule 2 to the Local Authorities (Standing Orders) Regulation 2001 of notifying the Proper Officer of the person to whom it is intended to make an offer of the position of Chief Executive; and

(2) That the Assistant to the Chief Executive be appointed as Proper Officer under those Regulations.

(3) That the action being taken by the Committee in relation to the recruitment of a Chief Executive be noted as follows:

(a) the provisional timetable outlined in this report; and

(b) the deadline for deciding when recruitment should be launched (1 March 2011); and

(4) That Mr D Macnab's appointment as Acting Chief Executive (including Acting Head of Paid Service) be extended to 31 August 2011 on the same terms as agreed by the Council pursuant to the decisions made on 27 July 2010, subject to this appointment being terminated at an earlier date if it proves possible to appoint a Chief Executive at an earlier date or the Council decides to pursue another collaborative arrangement for a Chief Executive.

1. We were appointed by the Council on 30 July 2010 (Minute 61) with the following terms of reference:

"(a) To consider, in consultation with the Council's Recruitment Consultants, the person specification, job description and associated matters relating to the recruitment and appointment of a Council's Chief Executive (Head of Paid Service);

(b) To consider arrangements for advertising the vacancy;

(c) To consider the arrangements for interviewing, assessment and appointment to the Chief Executive position;

- (d) To report back to full Council on progress on 28 September 2010;
 - (e) To report back subsequently to full Council with a recommendation on the person to be appointed to the position of Chief Executive;
 - (f) To consider alternative means by which the duties of the Chief Executive may be conducted; and
 - (g) To consider the remuneration appropriate to the role recommended by the Appointment Committee."
2. To date we have held two meetings. The first was held on 29 October 2010 and was an informal briefing with the Council's recruitment advisers. Our first formal meeting was held on 16 November 2010, at which we considered:
 - (a) constitutional/procedure matters which need to be resolved;
 - (b) the timescale for recruitment;
 - (c) budget restraints and joint working with other Councils in the context of the opportunities for delivering the Chief Executive role in other ways;
 - (d) the Acting Chief Executive appointment made by the Council.
 3. We have yet to review the job description and other related documents for the post or issues about remuneration. This is because we need to take time to look at the options open to the Council instead of appointing its own Chief Executive. The Council will be aware that the current position on local authority funding by the Government. The situation regarding joint working with neighbouring District Councils is a fluid one and we have concentrated on those issues so far.
 4. We regret that that we were not able to submit a report to the September Council meeting but this was because of the situation we have outlined in the preceding paragraph.

Procedural Requirements

5. At our first formal meeting, we considered two procedural matters. We considered a report of the Assistant to the Chief Executive concerning a requirement of the 2001 Regulations for the appointment of a Proper Offer in connection with notifying the Cabinet of a successful candidate.
6. The Committee noted that these regulations identified an "Appointor" (being a Council body or officer) to make any appointment and a "Proper Officer" to carry out actions required by those Regulations. We noted that the Appointor would be the full Council and under the regulations the Council would be required to notify a Proper Officer of the name and any other relevant particulars of the appointee proposed. The Proper Officer was then required to notify every member of the Cabinet of the name and the particulars of that person and provide a period during which an objection to the making of the offer could be notified by the Leader on behalf of the Executive.

7. We are therefore making recommendations on:
 - (a) delegating the task and notifying the Proper Officer of the intended appointment to this Committee; and
 - (b) appointing a Proper Officer.
8. These appointments are dealt with in recommendations (1) and (2) of this report. We would emphasise that the final decision on the Chief Executive position will be one for the Council itself, not this Committee.

Options for Delivering the Role of Chief Executive

9. In our terms of reference (Item (f) in paragraph 1 of this report), we are asked to look at other options for delivering the role of Chief Executive as alternatives to the Council appointing its own officer.
10. We have reviewed the other options available. One of these was joint management arrangements with neighbouring District Councils (Harlow and Uttlesford District Councils). The Committee noted that these discussions were at a very early stage but might form the basis of a management grouping which would mean that appointing our own Chief Executive would not be necessary. We recognise that this Council is in an influential position in those discussions because this Council is the only one with a vacancy. We feel that another determining factor is the forthcoming announcement following the Government's recent comprehensive spending review. The effect on each of the three Councils' budgets will influence the decision on whether this Council should appoint its own Chief Executive or pursue a collaborative arrangement.
11. We also discussed another option being promoted by Essex County Council, namely, one Chief Executive and 5 location managers for groups of Districts. This is a development of the current arrangement between Essex County and Brentwood Borough Councils for shared top management. We noted that this was being promoted by the County Council but we had reservations about the idea, preferring a more locally-based solution (if one is possible) with our neighbouring Councils rather than one centred on County Hall.
12. We have concluded that the Council is obligated to consider all savings proposals in relation to the Chief Executive appointment but acknowledged that until the financial position was known in greater detail and the discussions with neighbouring Councils had proceeded further, it would be premature to reach a firm conclusion on the kind of appointment to be made.
13. We have agreed that the Committee needs to think about the position before our next meeting on 20 December 2010 by which time the Government's spending decisions will be known and discussions on inter-authority arrangements will have progressed further. This will also determine the basis on which the recruitment process will take place.
14. The Committee has decided that a conclusion to those discussions with Harlow and Uttlesford would have been reached so that a decision could be made by 1 March 2011 on launching the recruitment process. A potential timescale would be as follows:
 - (a) Advertising March 2011;

- (b) April – long listing of candidates;
 - (c) May 2011 shortlisting and appointment; and
 - (d) September 2011 – new Chief Executive takes up appointment.
15. We are asking the Council to note the current position on these issues.

Deputy Chief Executive

16. At the Council meeting in July, Mr D Macnab was appointed as Acting Chief Executive until 31 December 2010. The Council will note from this report that we now envisage that the recruitment process will now result in an appointment in September 2011, or perhaps earlier.
17. Mr Macnab's appointment should now be extended to 31 August 2011 to reflect the longer timescale. We are recommending this action to ensure the Council has a lead officer until matters are resolved. We are adding a condition to the extension of his appointment that if it were possible for of a Chief Executive to be appointed before September 2011, the Acting Chief Executive position would terminate at that point. Mr Macnab does, of course, still hold the substantive post of Deputy Chief Executive.
18. We recommend as set out at the commencement of this report.

LOCAL GOVERNMENT AND HOUSING ACT 1989 – NOTIFICATION OF MEMBERSHIP OF POLITICAL GROUPS

Recommendation:

(1) To note that one Conservative Councillor has not signed the Conservative Group membership notification under the 1989 Act;

(2) To agree that pro rata memberships be reviewed at the next Council meeting and that in the meantime political groups and independent members be advised of the likely effect on Group allocations.

1. Under the Local Government and Housing Act 1989, political groups are required to provide a notice signed by Councillors who are to be their members. This notice must also be signed by the member who is to be Leader.
2. In May 2010, the Conservative Group's notice was signed by 36 of the 37 Conservative Councillors. Pro rata calculations were based on the total of 37, in anticipation that all would sign but this has not happened. The pro rata calculation is based on the number of Councillors signing the notice.
3. Under the Act, a change in group membership must trigger a review of pro rata although the outcome can often be no change. In addition to pro rata allocations under the Act, this Council seeks to allocate Chairmanships, Vice Chairmanships, Representatives on Outside Organisations (non local) and their Deputies in the same way. It should be noted that this is non statutory but is a requirement of an adopted protocol agreed some years ago.
4. The Council is asked to agree that the review should take place at the next Council meeting. The likely effect of the revised pro rata is likely to concern outside organisations only. The statutory elements are unlikely to be affected.
5. Group Leaders and independent members will be sent an analysis of any changes required before the Council so that they are able to consider the Group's revised entitlements and, if necessary, discuss these with other political groups.

Background Papers: Notice of Membership of Conservative Group – May 2010.

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