



Epping Forest District Council

CABINET **Monday, 13th September, 2010**

Place: Council Chamber
Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services Officer: Gary Woodhall (The Office of the Chief Executive)
Tel: 01992 564470
Email: gwoodhall@eppingforestdc.gov.uk

Members:

Councillors Mrs D Collins (Leader of the Council) (Chairman), C Whitbread (Finance & Economic Development Portfolio Holder) (Vice-Chairman), R Bassett, B Rolfe, Mrs M Sartin, Mrs P Smith, D Stallan, Ms S Stavrou and Mrs L Wagland

**PLEASE NOTE THE START TIME OF THE MEETING
THE COUNCIL HAS AGREED REVISED PROCEDURES FOR THE OPERATION OF
CABINET MEETINGS. BUSINESS NOT CONCLUDED BY 10.00 P.M. WILL, AT THE
DISCRETION OF THE CHAIRMAN, STAND REFERRED TO THE NEXT MEETING OR
WILL BE VOTED UPON WITHOUT DEBATE**

1. WEBCASTING INTRODUCTION

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

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

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

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

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

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

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

4. MINUTES

To confirm the minutes of the last meeting of the Cabinet held on 19 July 2010 (previously circulated).

5. REPORTS OF PORTFOLIO HOLDERS

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

6. PUBLIC QUESTIONS

To answer questions asked by members of the public after notice in accordance with the motion passed by the Council at its meeting on 19 February 2008 (minute 102 refers) on any matter in relation to which the Cabinet has powers or duties or which affects the District.

7. OVERVIEW AND SCRUTINY

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

8. LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 13 JULY 2010 (Pages 7 - 14)

Leader of the Council) To consider the minutes from the recent meeting of the Local Development Framework Cabinet Committee held on 13 July 2010 and any recommendations therein.

9. NON-HOUSING ASSETS WITHIN THE HOUSING REVENUE ACCOUNT (Pages 15 - 22)

(Finance & Economic Development Portfolio Holder) To consider the attached report (C-020-2010/11).

10. TELECOMS MAST - HONEY LANE, WALTHAM ABBEY (Pages 23 - 38)

(Finance & Economic Development Portfolio Holder) To consider the attached report (C-021-2010/11).

11. OPEN MARKET SHARED OWNERSHIP SCHEME (Pages 39 - 46)

(Housing Portfolio Holder) To consider the attached report (C-022-2010/11).

12. REVISED TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY 2010-13 (Pages 47 - 76)

(Finance & Economic Development Portfolio Holder) To consider the attached report (C-029-2010/11).

13. HOUSING STRATEGY 2009-12 - KEY ACTION PLAN 2010/11 (Pages 77 - 92)

(Housing Portfolio Holder) To consider the attached report (C-024-2010/11).

14. REPLACEMENT OF RESTRICTIVE COVENANTS - EPPING FOREST COLLEGE, LOUGHTON (Pages 93 - 102)

(Legal & Estates Portfolio Holder) To consider the attached report (C-025-2010/11).

15. ADOPTION OF CCTV SERVICE DELIVERY PLAN & CODE OF PRACTICE (Pages 103 - 150)

(Safer & Greener Portfolio Holder) To consider the attached report (C-026-2010/11).

16. PROPOSED COUNTRYCARE RE-STRUCTURE (Pages 151 - 156)

(Safer & Greener Portfolio Holder) To consider the attached report (C-027-2010/11).

17. BOBBINGWORTH FORMER LANDFILL SITE - FINAL ACCOUNT (Pages 157 - 162)

(Environment Portfolio Holder) To consider the attached report (C-028-2010/11).

18. DESKTOP HARDWARE UPGRADE (Pages 163 - 166)

(Legal & Estates Portfolio Holder) To consider the attached report (C-030-2010/11).

19. HEALTH AND SAFETY POLICIES (Pages 167 - 206)

(Performance Management Portfolio Holder) To consider the attached report (C-031-2010/11).

20. ANY OTHER URGENT BUSINESS

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

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

21. EXCLUSION OF PUBLIC AND PRESSExclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
22	Local Land Charges – Access to Environmental Information	3

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

**22. LOCAL LAND CHARGES - ACCESS TO ENVIRONMENTAL INFORMATION
(Pages 207 - 212)**

(Legal & Estates Portfolio Holder) To consider the attached report (C-023-2010/11).

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Development Framework Cabinet Committee **Date:** 13 July 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.05 - 9.00 pm

Members Present: R Bassett (Chairman), B Rolfe, Mrs M Sartin, Ms S Stavrou and Mrs L Wagland

Other

Councillors: Mrs A Grigg, Mrs C Pond, D Stallan and J M Whitehouse

Apologies: Mrs D Collins

Officers Present: K Polyzoides (Assistant Director (Policy & Conservation)), K Wright (Senior Planning Officer), K Hallé (Senior Planning & Consultation Officer) and G J Woodhall (Democratic Services Officer)

15. ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

In the absence of the Chairman, nominations were invited from the Cabinet Committee for the appointment of a Chairman for the duration of the meeting.

RESOLVED:

(1) That Councillor R Bassett be appointed Chairman for the duration of the meeting.

16. DECLARATIONS OF INTEREST

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

17. MINUTES

Although the minutes of the previous meeting had been published as part of a Supplementary Agenda for the Cabinet Meeting scheduled for 19 July 2010, Members of the Cabinet Committee had not had enough time to consider them and they were deferred until the next meeting for agreement.

RESOLVED:

(1) That the minutes of the last meeting held on 17 June 2010 be deferred until the next meeting for agreement.

18. TERMS OF REFERENCE

The Cabinet Committee noted its Terms of Reference as agreed by the Council on 17 February 2009 (minute 113(a) refers).

19. ANY OTHER BUSINESS

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

20. PROPOSED CHANGES TO THE PLANNING SYSTEM

The Assistant Director (Policy & Conservation) presented a verbal update on changes to the current planning system proposed by the new coalition Government.

The Assistant Director advised the Cabinet Committee that a letter had been received from the Minister for Decentralisation revoking the Direction to prepare a separate Gypsy & Traveller Development Plan Document. A report would be considered by both the Cabinet and Council before the end of the month, and would recommend the cessation of further work on the Development Plan Document as well as notification to all land owners and interested groups.

The Assistant Director further advised the Cabinet Committee of a letter from the Chief Planner at the Department of Communities & Local Government announcing the revocation of all Regional Strategies with immediate effect, although the requirement to produce a Local Development Framework still remained. A further letter from the Minister for Housing had set out some of the principles that the Coalition Government wished to see incorporated within the plan-making process. A statement of how the Council would secure real local and community engagement had also been requested.

The Assistant Director also informed the Cabinet Committee that Regional Development Agencies would be replaced with Local Enterprise Partnerships, which would be business orientated. There was the possibility of four such agencies for Essex, with the District most likely in the M11/West Essex Partnership.

The Cabinet Committee welcomed the revocation of the Gypsy & Traveller Development Plan Document Direction, and supported the reports being considered at the Cabinet and Council meetings in July. Local residents had waited more than two years for the Direction to be rescinded and it was felt that the news would be welcomed throughout the District.

RESOLVED:

(1) That the verbal update on the proposed changes to the planning system by the Assistant Director (Policy & Conservation) be noted.

21. TOWN CENTRES STUDY

The Senior Planning Officer introduced a report upon the Town Centres Study for the District, which had provided the first comprehensive assessment of retail and leisure provision across the District's main centres, as well as an assessment of future retail and leisure need in terms of both quantity of floor space and the quality of provision. This assessment of future need would help to guide decision making on policies in the Core Strategy for each of the District's main centres.

The Cabinet Committee was reminded that Planning Policy Statement (PPS) 4 – Planning for Sustainable Economic Growth – required local planning authorities to prepare an evidence base to plan for town centres in the future. Roger Tym & Partners had been appointed to undertake the study in March 2009. The study

provided information on the six main centres defined by the current Local Plan and an assessment of the current policy to retain a percentage of retail frontage within them. The Consultants undertook a household telephone survey, a visitor survey across the six centres, as well as a stakeholder consultation with Town Councils and Town Centre Partnerships.

The Cabinet Committee was informed of the key findings from the Study. Some parts of the District had excellent public transport links to London, whilst there was also a number of higher order centres located a short distance outside the District. The six centres within the District were all of a lower order and provided services that reflected their size. The national trend was for people to spend more in larger centres, as well as a rise in alternative forms of shopping such as the internet. The future development of the six centres was examined in terms of comparison retailing (clothing, furniture, electricals) and convenience retailing (food, drink, newspapers), as well as leisure uses (bars, cafes, cinemas), over five, ten and twenty-one year periods. In all cases, the study recommended a growth in retail capacity over the periods, using an increased market share scenario to increase the retail spending of residents within the District. The aim was to change shopping patterns through the development of new retail floorspace within the District.

The Senior Planning Officer stated that the study had concluded there were high levels of expenditure leakage from the District for both comparison and convenience goods. There was scope to improve the convenience retail on offer within the District, which would also increase choice and competition. There was also scope to accommodate national brand stores to satisfy local needs and provide a balance between independent traders and larger operators. Requirements for floorspace indicated there was still demand for space in the District's larger centres. There was still potential to improve the local commercial leisure provision and to encourage a small art house cinema within the District to provide an alternative to the nearby multiplex centres. Finally, the retail frontages policy was generally thought to be performing well as there were no major gaps currently, although it might be necessary to separate primary and secondary frontage in the future.

The Cabinet Committee welcomed the report and described it as both useful and important. It would form a sound Evidence Base study and would be invaluable when developing an overall Retail Strategy for the District. It was acknowledged that the desire for more national stores within the District would have an adverse impact upon the independent retailers within the District, and this would need careful management as part of any District Retail Strategy. Further information was requested upon the proportion of spending by commuters outside of the District, and some reservations were expressed about the proposed increase in cafés and bars to further improve commercial leisure provision. The possibility of a small cinema located within the District was enthusiastically received. There were further opportunities for development within Epping and Loughton other than those mentioned within the Study, and a covering note was requested to correct some minor errors when the Study was made publicly available.

The Cabinet Committee were advised of the Town Plan being developed by Waltham Abbey Town Council, with participation from the public. The retail units within the town were very small in comparison to other centres, which presented its own particular difficulties, and younger residents had identified a lack of affordable leisure facilities.

In response to queries from the Cabinet Committee, it was stated that the study did not specially include commuter spending. Currently, only 32% of available spending was retained within the District; commuter spending was assumed to form part of the

68% of available spending that leaked out of the District. The study was only concerned with the six main centres within the District and how they could be developed to increase the proportion of resident's retained spending. If it was felt that there were too many bars and cafes within the District then the leisure provision aspects of the strategy could be developed with a different emphasis, although a further study would be required for the provision of a small cinema within the District. It was confirmed that the Study would be made publicly available in due course.

The Assistant Director (Policy & Conservation) added that a natural synergy would be developed between the Study and the work being performed by the Town Centre Officers. The District was in a very unique position for retailing, and a wider approach would be required to attract people into the District to the existing centres. The Government's new Localism agenda would lead to more public input on the future of the current centres within the District.

RESOLVED:

- (1) That the content of the Town Centres Study be noted;
- (2) That the Town Centre Study be made publicly available, with a covering note to correct any minor errors within; and
- (2) That the Town Centres Study be added to the Evidence Base to support the preparation of the Local Development Framework, although it had been based upon and influenced by policies and targets which might not be applicable in the future and might necessitate a review of the Study in due course.

Reasons for Decision:

The Local Development Framework had to be based on robust and up-to-date evidence, and a number of technical studies had been commissioned to provide this evidence. The Town Centres Study had provided information about retail and leisure uses in the District's six main centres as identified in the existing Local Plan, which would be used to formulate policies in the emerging Local Development Framework.

Other Options Considered and Rejected:

To not include the Study as part of the Evidence Base.

22. LOCAL DEVELOPMENT FRAMEWORK ENGAGEMENT STRATEGY

The Senior Planning & Consultation Officer introduced a report regarding an Engagement Strategy for the Local Development Framework, which outlined an approach to engaging with key stakeholders, interested parties and the community in the early stages of the forthcoming Local Development Framework (LDF). The Council was committed to providing the local community with opportunities to shape the place in which they lived and had developed an approach to engagement designed to make this achievable.

The Senior Planning & Consultation Officer advised that positive and effective communication was essential to engage with the public successfully on spatial planning. The proposed Engagement Strategy would assist in the development of the Statement of Community Involvement and was designed to be compatible with the current Corporate Consultation Strategy. A number of methods had been proposed for consideration: development of a LDF brand to attract attention from the public; development of a set of principles of engagement to ensure that a consistent

approach would be adopted and the Council would meet its statutory requirements; alternative consultation methods such as the use of social media and dedicated websites to engage with a wider section of the community; and partnership working with other Directorates to link in with other consultation activities.

The Senior Planning & Consultation Officer added that engaging with the public in the preparation and evidence gathering stage was the first phase of consultation in producing a Core Strategy. Government guidance had identified four main groups of consultees - statutory consultees, general consultees, other interested parties and the general public – and the Strategy had suggested a variety of methods for each group at this stage. The recent change in Government had created some uncertainty about the future direction of the planning system; therefore the proposed Engagement Strategy was designed to be flexible and focused on engagement at the Evidence Base stage. The aim had been to produce an Engagement Strategy that used both tested and innovative methods; provided an adopted format for Officers and the community to work with; and was cost effective.

The Assistant Director (Policy & Conservation) added that no timetable for the consultation periods had been implemented due to the changes in Planning Policies recently announced by the new Government. The Council would need to consult upon the Evidence Base and then the Issues & Options document to ascertain the Key Options for the District. It was confirmed that an allocation from the LDF budget had been made for the various consultations. The Evidence Base approach was still the preferred method for generating the LDF and this contained a statutory requirement to consult.

The Portfolio Holder for Legal & Estates expressed a number of concerns with the report:

- (i) the strategy appeared to utilise a top-down approach rather than a bottom-up approach;
- (ii) there should be a single named contact, not a generic email or telephone number;
- (iii) the Council should look to hold a number of public debates; and
- (iv) the hard-to reach groups should also include those people who feel they can't make a difference.

The Portfolio Holder wanted a more energetic approach with a named 'Champion' for people to identify with, as the consultations needed a wider base of responders than those people who normally replied, such as was the case for the Gypsy & Traveller Development Plan Document consultation. A cost effective approach should also be adopted for all consultations undertaken.

The Cabinet Committee made further suggestions on how the Strategy could be improved:

- (i) involve the residents groups that were formed for the Gypsy & Traveller Development Plan Document consultation;
- (ii) involve the Youth Council and hold debates or workshops in the local schools to engage the young people within the District;
- (iii) hold roadshows and question time events in different areas of the District;

- (iv) perform impact analysis on the suggestions forthcoming from the consultation early in the process;
- (v) allow the public to post comments on the proposed LDF Facebook site;
- (vi) consider the use of Twitter as well;
- (vii) ask specific questions during the consultation to get specific answers rather than generic questions; and
- (vii) the Strategy should be a Communications Strategy, rather than a Planning Strategy, with advice taken from the Council's Public Relations section.

The Assistant Director and Senior Planning & Consultation Officer thanked the Cabinet Committee for their comments. It was highlighted that the use of Twitter had been considered but it was not felt to be as useful as Facebook, whilst allowing comments to be posted on the LDF Facebook site was not considered feasible given the implications it would have on Officer time. It was felt that generic email and telephone contacts were important to allow for some Officer anonymity, and it was reiterated that the Council's Public Relations section had been – and would continue to be – involved in the evolution of the Engagement Strategy. The Assistant Director proposed that the Strategy should be further reviewed before being submitted to the Cabinet Committee again for approval.

RESOLVED:

- (1) That the principles and methods set out in the LDF Engagement Strategy be further reviewed following the comments of the Cabinet Committee;
- (2) That the Council's Public Relations section continue to be consulted over the principles and methods within the LDF Engagement Strategy; and
- (3) That the LDF Engagement Strategy be submitted to a future meeting of the Cabinet Committee for approval.

Reasons for Decision:

To further review the proposed Engagement Strategy and incorporate some of the ideas proposed by the Cabinet Committee prior to its final approval.

Other Options Considered and Rejected:

To cease production of a Local Development Framework Engagement Strategy. However, stakeholder and public engagement was a statutory requirement in the production of the LDF and the Core Strategy might be found unsound if there was no robust evidence of this.

To approve the Engagement Strategy as presented, however it would not then incorporate all of the lessons learned from the Gypsy & Traveller consultation, amongst others, or the comments made by the Cabinet Committee.

CHAIRMAN

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Report to the Cabinet

Report reference: C-020-2009/10
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Finance & Economic Development
Housing

Subject: Non-Housing Assets within the Housing Revenue Account

Responsible Officer: Brian Moldon (01992 564455).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To recommend to Council the transfer of the non-housing assets listed in appendix 1 to the General Fund; and**
- (2) To give authority to the Director of Finance & ICT to write to the Secretary of State to request permission to transfer the properties from the HRA to the General Fund.**

Executive Summary:

Within the prospectus for the Housing Finance Reform on the dismantling of the Housing Subsidy System there is an emphasis that the Housing Revenue Account (HRA) remains a ring-fenced account and should still primarily be a landlord account, containing the income and expenditure arising from a housing authority's landlord functions.

Within the HRA, non-housing assets are currently held as investment properties, and the HRA receives rental income on these shops, pubs and a petrol station. The transfer of the non-housing assets to the General Fund would result in additional rental income to the General Fund but, because of the mechanism for setting rents, this would not cause rents for tenants to increase.

Amended versions of the five and thirty year forecasts reported to Cabinet on 8 March 2010 have been produced. The amended five year forecast still has a balance of just under £4 million on the HRA at the end of 2014/15. However, the amended thirty year forecast shows that, without a savings or efficiency programme, the HRA will fall in to deficit in year 12, compared to year 28 in the previous forecast.

Reasons for Proposed Decision:

To ensure that the HRA is operated on the correct basis as a landlord account.

To ensure that the benefit of the rental income is shared amongst all residents and not confined to the HRA.

Other Options for Action:

To leave the non-housing assets and their rental income within the HRA.

Report:

Introduction

1. The Finance and Performance Management Cabinet Committee met on 18 May 2010 to consider a response to the Department of Communities and Local Government (CLG) prospectus on the dismantling of the Housing Revenue Account (HRA) subsidy system. Within the report a recommendation was agreed to provide a further report to Cabinet on the opportunity to transfer to the General Fund the non-housing assets currently held within the HRA.

2. The non-housing assets within the HRA are commercial properties; this includes shops in the Broadway and elsewhere, a petrol station and pubs. These properties were transferred over to the Council around the same time as the Council dwellings from the Greater London Council. These properties are situated in or around the housing estates and therefore were left within the HRA.

3. During the recent exercise in considering the Government proposal to dismantle the HRA subsidy system, the prospectus highlighted the following in relation to the operation of the HRA ring-fence:

(a) Estates are no longer purely council estates and it can be the case that council tenants are in the minority on some estates;

(b) Government's policy is that the HRA remains a ring-fenced account and should still primarily be a landlord account, containing the income and expenditure arising from a housing authority's landlord functions; and

(c) Highlighted the need to be fair to both tenants and council tax payers and that there should be a fair and transparent apportionment of costs and income between the HRA and General Fund.

4. The Council already has a number of commercial properties within the General Fund, e.g. at Brooker Road and Oakwood Hill, so the income from these premises benefits all council tax payers. There are no statutory requirements for properties to remain within the HRA and be held only for the benefit of council tenants.

Impact on the HRA

5. Work has been undertaken including reviewing the HRA manual, to consider the transfer out of the HRA. An authority can appropriate land and property which it holds for one purpose, but no longer requires for that purpose, for another purpose. To do so, would require consent of the Secretary of State under section 19(2) of the Housing Act 1985. The Council has been in contact with CLG and initial views from them suggest that this is a straightforward and common occurrence, but we would need consent from the Secretary of State.

6. A list of the proposed commercial properties is shown at Appendix 1. These were last valued at 31 March 2009. A small sample from each shopping parade has been reviewed by the Council's Estates Service and applied to the other properties in the parade. A formal valuation will be undertaken if the properties are to be transferred to the general fund.

7. The table below shows the net gain to the General Fund from purchasing the properties from the HRA. The gain is achieved from the rental income from the commercial properties being transferred to the General Fund. This is off set by the cost of managing these properties and by a charge made for the purchase of them. The purchasing charge is the valuation price of the properties multiplied by the Average Interest Rate (this is the average rate of return on our investments in the year). Updated guidance taking into account requirements under the new International Financial Reporting Standards (IFRS) is still awaited, the valuation of properties will be undertaken by Estates Services and will need to be in line with this guidance when issued by CIPFA / RICS.

	2008/09 Actual	2009/10 Actual	2010/11 Estimate
Valuation of properties	£15,451,640	£15,451,640	£15,451,640
Average Interest Rate	5.56%	1.93%	1.80%
Charge to the General Fund	£859,000	£298,000	£278,000
Rental income from Properties	£1,671,000	£1,600,000	£1,754,000
Costs from properties	£269,000	£355,000	£379,000
Net income from properties	£1,402,000	£1,245,000	£1,375,000
Net gain on General Fund / loss on HRA	£543,000	£947,000	£1,097,000

8. There are still a number of operational issues that need to be resolved, for example where a shop is leased with the flat above the shop, the shop will be transferred, but the flat will remain with the HRA. Costs from properties have increased between 2008/09 and 2009/10, the main reason being the introduction of a recharge from the General Fund for CCTV cameras as a number of them are situated within Housing property or on Housing Land.

9. Revised five and thirty year business plans have been calculated taking into account the changes mentioned above, removing the previously anticipated pay award out of the 2011/12 figures, and adjusting the Capital Expenditure Charged to Revenue in years 2011/12 to 2014/15. When the previous five year forecast had been presented in March it had been necessary to build in additional contributions to capital of £7.55 million over the period to manage the HRA balance down to £3.75 million at the end of 2014/15. The amended forecast reduces the additional contributions to capital to £4.55 million and leaves the HRA with a balance of £3.85 million at the end of 2014/15. This still leaves the contributions to capital higher than prior to the five year forecast being agreed in March 2010.

10. The previous thirty year forecast projected that the HRA would fall into deficit in year 28. The amended forecast predicts the HRA could now fall into deficit in year 12, although this is before: reducing 2010/11 and 2012/13 budgets for no pay awards, generating a saving of £116,000 and £250,000 respectively; and any savings that are likely to be required as part of the 2011/12 estimate process.

11. A revised 30 year business plan under self financing has also been constructed. The results show little effect to the plan, with the total debt to be repaid by year 18, capital expenditure to be fully met and HRA revenue balances to be around £350 million in 30 years.

Resource Implications:

The General Fund would benefit from an additional income of approximately £1,097,000 in 2010/11, whilst the HRA would lose income of the same amount. This would not have an impact on Council tenant's rents for future years, as there is a mechanism in place for setting Council rents which does not include commercial properties income within the calculation.

The HRA, Housing Repairs Fund and Major Repairs Reserve balances as at 31 March 2010 are £6.089 million, £4.157 million, and £5.730 million respectively.

Legal and Governance Implications:

Under section 19(2) of the Housing Act 1985, the Council will require the consent of the Secretary of State to transfer the commercial properties from the HRA to the General Fund.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

It was recommended by the Finance and Performance Management Cabinet Committee on 18 May 2010 that the Tenants & Leaseholders Federation (TLF) be consulted prior to Cabinet receiving the report. This went to the TLF on 20 July 2010 where they strongly opposed the transfer of the shops to the general fund. Their views were: this would have an impact on the service for tenants due to the contribution to capital would be reduced; members would find it more difficult to be able to set rent below the rent restructuring level; and there were concerns that the valuation is too low and to make a informed decision on the possible transfer, an up to date valuation should be provided. The TLF also requested that the chairman of the TLF be invited to Cabinet to further express the views of the Federation.

Background Papers:

Finance and Performance Management Cabinet Committee on 18 May 2010 Response to CLG offer on the reform of the HRA subsidy system. CLG prospectus on Council housing: a real future published March 2010.

Impact Assessments:Risk Management

It is possible that the Secretary of State may not consent to the transfer.

Equality and Diversity:

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

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

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

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

N/A

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APPENDIX 1

1 Lower Queens Road, Buckhurst Hill	548 Limes Avenue, Chigwell
4 Lower Queens Road, Buckhurst Hill	550 556 Limes Avenue, Chigwell
5 Lower Queens Road, Buckhurst Hill	558 Limes Avenue, Chigwell
8 Lower Queens Road, Buckhurst Hill	560 Limes Avenue, Chigwell
	562 Limes Avenue, Chigwell
28 & 38 Parklands	
29 & 36 Parklands	48-50 The Street
30 & 34 Parklands	
31 & 32 Parklands	113 – 117 Upshire Road
	119 Upshire Road
20 & 22 St Peter's Avenue	121 Upshire Road
24 & 26 St Peter's Avenue	123 Upshire Road
28 & 30 St Peter's Avenue	
32 & 34 St Peter's Avenue	11-13 The Broadway
	12-14 The Broadway
74 Roundhills	15 The Broadway
76 Roundhills	16 The Broadway
78 Roundhills	17/19 The Broadway
80 Roundhills	18 The Broadway
82 Roundhills	20 The Broadway
	21 The Broadway
36 The Broadway	22 The Broadway
38 The Broadway	23 The Broadway
39 The Broadway	24 The Broadway
40 The Broadway	25 The Broadway
41 The Broadway	26 The Broadway & Flat 61A
42 The Broadway	27 The Broadway
43 The Broadway	28 The Broadway
44 The Broadway	29 The Broadway
45 The Broadway	30 The Broadway
46-48 The Broadway	31 The Broadway
47-49 The Broadway	32-34 The Broadway
50 The Broadway	33-37 The Broadway
51 The Broadway	57 The Broadway + Garage 292
52 The Broadway	58 The Broadway
53 The Broadway	59 The Broadway
54 The Broadway	60 The Broadway
55 The Broadway	61 The Broadway
56 The Broadway	62 The Broadway
64 The Broadway	67 The Broadway & Flat 22A
65 The Broadway	68 The Broadway
66 The Broadway	69 The Broadway
70 The Broadway	71 The Broadway
72 The Broadway	73 The Broadway
74 The Broadway	80 The Broadway
76 The Broadway	82 The Broadway
78 The Broadway	
58 & 78 Borders Lane	60 Borders Lane
62 Borders Lane	64 Borders Lane
66 Borders Lane	68 Borders Lane
70 Borders Lane & Flat 90	72 Borders Lane
74 Borders Lane	76 Borders Lane & Flat 96

83 Loughton Way, Buckhurst Hill	142 Loughton Way, Buckhurst Hill
144 Loughton Way, Buckhurst Hill	146 Loughton Way, Buckhurst Hill
148 Loughton Way, Buckhurst Hill	150 & 152 Loughton Way, Buckhurst Hill
154 Loughton Way, Buckhurst Hill	156 Loughton Way, Buckhurst Hill
158 Loughton Way, Buckhurst Hill	160 Loughton Way, Buckhurst Hill
162 Loughton Way, Buckhurst Hill	164 Loughton Way, Buckhurst Hill
15 Market Square	16 Market Square
17 Market Square	18 Market Square
19 Market Square	
34 Pyrles Lane	36, 38 & 40 Pyrles Lane
42 Pyrles Lane	44 Pyrles Lane & Flat 72a
46 Pyrles Lane	48 Pyrles Lane
50 Pyrles Lane	52 Pyrles Lane & Flat 62 & Garage
1-4 Hillhouse	5 Hillhouse
6 Hillhouse	7 Hillhouse
8 Hillhouse	9 Hillhouse
10 Hillhouse	11 Hillhouse
12 Hillhouse	
6, 7 & 14 Longcroft Rise	24 & 25 Fir Trees
Petrol Filling Station	Public House Sir Winston Churchill
	Public House The Cottage Loaf
2-18 Torrington Drive	Public House Gun Makers Arms
	Public House Spencers (Golden Lion)
70 Wellfields	Public House The Black Deer
63 Wellfields	Public House Clydesdale
17 & 18 Maynard Court	

Report to the Cabinet

Report reference: C-021-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Finance & Economic Development
Subject: Telecoms Mast - Honey Lane, Waltham Abbey
Responsible Officer: John Preston (01992 564111).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

That, provided they have not moved home, those residents who originally objected to the application for a determination as to whether prior approval was required for the erection of a mobile phone mast be paid a further and final sum of £250 as compensation.

Executive Summary:

In 2006 the Council failed to decide an application for a determination as to whether prior approval is required for the erection of a mobile phone mast. The consequence of the decision is that the mast gained deemed planning permission and was subsequently erected despite the Council raising objection to its siting and design. The lawfulness of the mast and options for using planning enforcement powers to seek its removal have been explored and following consideration of a report on 4 August 2009 the District Development Control Committee agreed there was no reasonable prospect of securing a better solution on the ground.

Residents who originally objected to the mast were paid £250 each as a goodwill gesture by the Council prior to the District Development Control Committees decision. Members are now requested to consider whether any compensation should be paid to residents for the Councils' failure to issue a timely decision on the original prior approval application and the consequences arising from that failure. In the event that Members decide to compensate, Members are requested to decide on what basis to compensate. Options for compensation are discussed and Officers preferred option recommended.

Reasons for Proposed Decision:

Although it is highly likely a mobile phone mast would have been erected within the vicinity of the existing mast, the visual amenities of residents are nevertheless harmed by the existing mast. That mast was lawfully erected as a consequence of the Council's failure to make a timely decision on the application for a determination as to whether prior approval was required for the erection of the mast and it is not expedient to take action to secure its removal.

Options for Action:

- (i) Give no compensation.

- (ii) Compensate the residents who originally objected to the application for a prior approval determination by a fixed sum.
- (iii) Compensate the residents who originally objected to the application for a prior approval determination on the basis of a possible loss of property value.
- (iv) Compensate all those who have either signed a petition or submitted individual letters complaining about the Council's failure to meet the 56 day deadline and/or calling for the removal of the mast by a fixed sum.
- (v) Compensate the owner/occupier of all properties that are seen within the context of the mast as identified on the map at Appendix 1 by a fixed sum.
- (vi) Compensate on an alternative basis decided by Members.

Report:

Background

1. On 20 June 2006 O2 submitted an application for a determination as to whether prior approval of the Council is required for the erection of a 12m high imitation telegraph pole antenna and equipment cabinet at ground level at the junction of Honey Lane and Stonyshotts in Waltham Abbey, Ref EPF/1242/06. The Council was obliged to issue a decision on the application within 56 days.

2. Such applications are unique in that failure to ensure the applicant receives the Council's decision within the 56 day timescale results in a deemed planning permission for the development being granted.

3. In this particular case, although the Council decided prior approval was required and refused to grant such approval (on the basis the mast would cause harm to the amenities of the locality), the decision letter was received by O2 1 day outside the 56 day limit for the Council to notify the applicant of its decision. Consequently, under the provisions of Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended) [the GPDO] O2 gained deemed planning permission to erect the antenna and equipment cabinet.

4. In order to remedy the harm caused by the telecommunications mast the Council has sought to challenge the existence of a deemed planning permission in the light of Counsels' advice. The advice was that it appeared O2 had not complied with all the relevant criteria in the GPDO because requirements to get the prior written consent of owners or occupiers of the land set out in the Electronic Communications Code had not been complied with. On the basis of that advice, Cabinet resolved on 4 February 2008 that urgent measures be taken by the Director of Planning and Economic Development to commence enforcement action to secure the removal of the telecommunication mast and defend any appeal.

5. Prior to proceeding to issue an enforcement notice, the Council made further enquiries of Essex County Council and O2. New information was given and then provided to Counsel in order to seek confirmation that the advice previously given still held.

6. Following consideration of that information, Counsels' advice regarding the lawfulness of the mobile phone mast changed. The advice in respect of that question is now that the mast has been erected lawfully and that the Council cannot serve an enforcement notice under S172 of the Town and Country Planning Act requiring its removal.

7. Counsel states “O2 have now shown that they did come within the provisions of the (Electronic Communications) Code and hence, having served a developers notice on Essex County Council on the 19th of June 2006, within Part 24 of Schedule 2 to General Permitted Development order do not require express planning consent to erect and maintain the mast and equipment. This means it is not open to Epping Forest District Council to issue an enforcement notice requiring the mast and equipment to be removed”

8. Counsel further advises “There is no doubt the council have acted carefully in considering all options and seeking to pursue the prospect of enforcement action for as long as it was possible to do so. The Council has also dealt with matters transparently as advised by the Ombudsman’s Special Report of June 2007. However the choice is now between taking discontinuance action and paying compensation to O2 or responding to complaints to the local ombudsman which local residents have indicated they will make based on the council’s failure to notify O2 that they objected to the proposal to erect the mast within the required 56 day period.”

Discontinuance Action

9. Under s102 of the Town and Country Planning Act 1990 a Local Planning Authority may, if having had regard to the Development Plan and any other material considerations concluded that it is expedient in the interests of the proper planning of their area (including the interests of amenity), issue an Order requiring the removal of any building or works. This power can be used against both lawful and unlawful development. Where an Order is made, any person who has suffered damage in consequence of the Order or who carries out works in compliance with the order would be entitled to seek to recover compensation for the loss from the Local Planning Authority.

10. This course of action was considered by the District Development Control Committee on 4 August 2009 when it resolved that the Council should not proceed with the discontinuation action based upon the low likelihood of a beneficial outcome even if such action were successful. It also resolved that the Cabinet should be asked to consider the levels of further compensation to be paid to residents.

Compensation for local Residents

11. In accordance with the resolution of the District Development Control Committee, Cabinet is now requested to give consideration to compensating local residents for the harm caused as a consequence of the Councils failure and the basis on which any such compensation is paid. To inform this report the Councils’ Complaints Officer and surveyors, Strutt & Parker have given advice.

12. As a general proposition, there is justification for compensating the owners of neighbouring properties who objected to the mast when the original application was before the Council. It is not clear whether such justification could properly be extended to any other persons.

13. Strutt & Parker were employed by the Council to advise on matters relating to the mast including the basis on which residents could claim compensation. Strutt & Parker advise that any claim by residents to the Ombudsman for compensation would be on the basis of:

- (a) loss of value to property caused by the mast, and
- (b) harm to the amenities of the occupants of the property.

14. Strutt & Parker also advise that any loss in value is unlikely to be in excess of 5% of property value and there are good grounds for resisting such a claim for compensation on the basis of loss of property value. This is because even if the Council had issued its decision in time, it is most likely that planning permission for the mast would have been granted on appeal so the mast would have been erected anyway. In any event, the affected owners/residents may have a redress available directly against O2 under the Electronic Communications Code, however, they would need to take their own legal advice on that point.

15. Members are advised that the occupants of 10 neighbouring houses objected to the mast when consulted on the application by the Council. Land Registry searches show one of the properties was sold in March 2008, about a year after the mast was erected, and the price stated to have been paid was £247,000. Another property changed hands in September 2006, approximately 6 months prior to the erection of the mast, but the register of title does not include details of how much was paid. No other properties changed hands shortly before the mobile phone mast was erected or between the date it was erected and when property prices generally started to fall due to market conditions.

16. The results of the searches do not provide sufficient information on which to base any assessment of the likely value of any claim that any residents might make. Nevertheless, having regard to the Strutt & Parker report, the total lost value that might be claimed by all the residents who had objected to the application as part of a claim to the Ombudsman against the Council for maladministration (up to 5% of property value) could be as much as £120,000. However, as also pointed out by Strutt & Parker, the likely success of such a claim is open to question.

17. Further research reveals the Local Government Ombudsman has considered this type of complaint by local residents across the country on a number of occasions. In those cases the Ombudsman's recommendation has been the Council concerned should pay compensation to those who objected to the application at the time it was being considered in recognition of their disappointment that the mast in question had to remain. The sum recommended by the Ombudsman has varied from £250-£300 and, as far as officers are aware, there have been no recommendations for any consideration to be given by the Council concerned to property devaluation.

18. These residents have already been paid £250 each as a goodwill gesture by the Council. However, it was emphasised to them that this offer was solely in recognition of the disappointment and frustration caused by the Council's failure to meet the 56 day deadline and would not prejudice any other claim they might wish to make for compensation for property devaluation should the mast have to remain. A further payment of £250 to £300 amounts to a cost to the Council of £2500 to £3000.

19. After the mast was erected around 100 additional residents have either signed a petition or submitted individual letters complaining about the Council's failure to meet the 56 day deadline and/or calling for the removal of the mast. However, none of these people raised any objection to O2s' proposal to erect the mast during the public consultation process on the application. Those who did not raise any comments at the time the proposal to erect the mast was advertised by the Council would not be entitled to any compensation in the event of them making a claim to the Ombudsman. Nevertheless, it is open to Cabinet to consider compensation for a wider group of residents. If the Council were to pay £250 to £300 compensation to the additional residents as well as those who originally objected to the original application, it would incur a cost of approximately £27,500 to £33,000.

20. A further basis on which residents could be compensated is to make a payment of

either £250 to £300 to the owner of all the properties that are seen within the context of the mast. The location of the mast and the properties identified as falling within that category are identified within an area edged with a dark line on the map at Appendix 1. The total number of properties identified is 71. The cost of identifying the owners by way of carrying out a Land Registry search would be up to £1,136 and the cost of compensation would be either £17,750 or £21,300 depending on the level of compensation paid. This would result in a total cost of either £18,886 or £22,436.

21. This report was presented to Members at Cabinet on 1 February and on 19 July this year. Before Members discussed that report they were advised that O2 were apparently interested in considering a location for a replacement mast. Attached at Appendix 2 are the notes of the meeting which subsequently took place, and at Appendix 3 are copies of the letters sent to O2 following that meeting. Unfortunately, and despite chasing, there has been no response to those letters.

22. However, the Leader determined to make one further attempt at communicating with the Managing Director of O2, and this led to a discussion with a senior member of his staff on 4 August. O2 indicated that they are interested in having a mast at the Marriott Hotel - but as an **addition** to the one at Stonyshotts not as a replacement. O2 also indicated that they would be willing to relocate the Stonyshotts mast - but only to another location in Honey Lane. Accordingly this report and recommendation is resubmitted for Cabinet to come to a decision.

Conclusion

23. The opinion of Officers is that the Council should make a final reasonable offer of compensation on the basis that the Ombudsman would be likely to if the matter came before him. That would exclude those persons who did not raise any objection when consulted on the application for prior approval for the erection of the mast.

24. Officers do not consider a reasonable case can be made for compensating, on the basis of a loss of 5% of property value, any of those objectors who was the owner of a neighbouring property at the time the mast was erected. That is because there is no substantive evidence demonstrating an actual loss of value of any property near the mast and, even if there was, it is very likely that planning permission would have been granted for it on appeal. Consequently, the mast would have erected in any event and any impact on property value would still have taken place.

25. Rather, the appropriate course of action is to offer those residents previously paid £250 as a goodwill gesture who have not moved house a further sum (£250 would be appropriate) and to advise those residents they would have to pursue any further claim privately against O2. Members may, however, wish to offer the same payment to any of the residents who have moved house in the meantime.

26. This view is reached on the basis that the mistake by the Council is one that has been made by many other local authorities in recent years. The Local Government Ombudsman has therefore already considered this type of complaint by local residents across the country on a number of occasions. The Ombudsman's recommendation has been that the Council concerned should pay compensation to those who objected to the application at the time in recognition of their disappointment that the mast in question had to remain. The sum recommended by the Ombudsman has varied from £250-£300 but, as far as officers are aware, there have been no recommendations for any consideration to be given by the Council concerned to property devaluation. Given that the Council has already paid £250 to each of the 10 affected property owners/residents, any additional payment of a further nominal sum to the remaining residents would therefore be very likely to be regarded by the

Ombudsman as a more than reasonable settlement.

27. Accordingly, Officers opinion is the Council should compensate residents for the Council's failure to make a timely decision on an application for a determination as to whether prior approval for the mobile phone mast was required, on the basis described in the conclusion of this report. That is, a payment of £250 be made to each of the 10 residents who raised objection to the erection of the mast when consulted on the application for a determination as to whether prior approval was required to erect it, Ref EPF/1242/06, subject to them still either being an owner or an occupier of the same affected property.

28. Notwithstanding Officers views, it is open to Members to decide not to give any compensation on the grounds that it is very likely that a mast of the same height and scale would have been erected in the vicinity of the site even if the Council had issued its decision on time. Similarly it is open to Members to decide to compensate on an alternative basis to that suggested by Officers in the conclusion of this report. In suggesting amounts of compensation regard has been given to what the Ombudsman has suggested in other cases, but regard must also be given to the general duties concerning expenditure. If the Council was to suggest a higher level of compensation to appease some residents, or a greater number of other local residents, then local taxpayers elsewhere in the District may ask the External Auditor to query the legality of that higher expenditure. Alternatives discussed in the report include compensating as follows:

- (i) on the basis of a possible loss in property value;
- (ii) on the basis of a the payment of a fixed sum to all those who have either signed a petition or submitted individual letters complaining about the Council's failure to meet the 56 day deadline and/or calling for the removal of the mast; or
- (iii) on the basis of a the payment of a fixed sum to the owners of properties that are seen within the context of the mast as identified on the map at Appendix 1.

Resource Implications:

A DDF item of £80,000 is included in the 2010/11 budget as a contingency for appeals.

Options, dependent upon the Cabinet's decision, are:

- (i) 5% of property value - compensation maximum £120,000;
- (ii) (Recommended by officers) Further £250 to £300 compensation to original 10 objectors £2,500 - £3,000;
- (iii) 100 petitioners - compensation £27,500 - £33,000; or
- (iv) 71 identified properties - compensation £18,886 - £22,436.

Legal and Governance Implications:

Members' decision would be given consideration in the event of a possible claim of maladministration heard by the Ombudsman.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Council Complaints Officer
Director of Corporate Support Services.

Background Papers:

Report to District Development Control Committee on 4 August 2009 and minutes
Report to cabinet on 4 February 2008 and minutes
Report of Strutt & Parker dated August 2008
Planning Enforcement Investigation ENF/0088/07
Prior approval application EPF/1242/06

Impact Assessments:

Risk Management

Careful consideration to the matter of compensation will be given weight in the event of a claim of maladministration to the Ombudsman. The new Government has heralded that it will bring Mobile Phone Masts back into full planning control, but this has not been enacted yet.

Equality and Diversity:

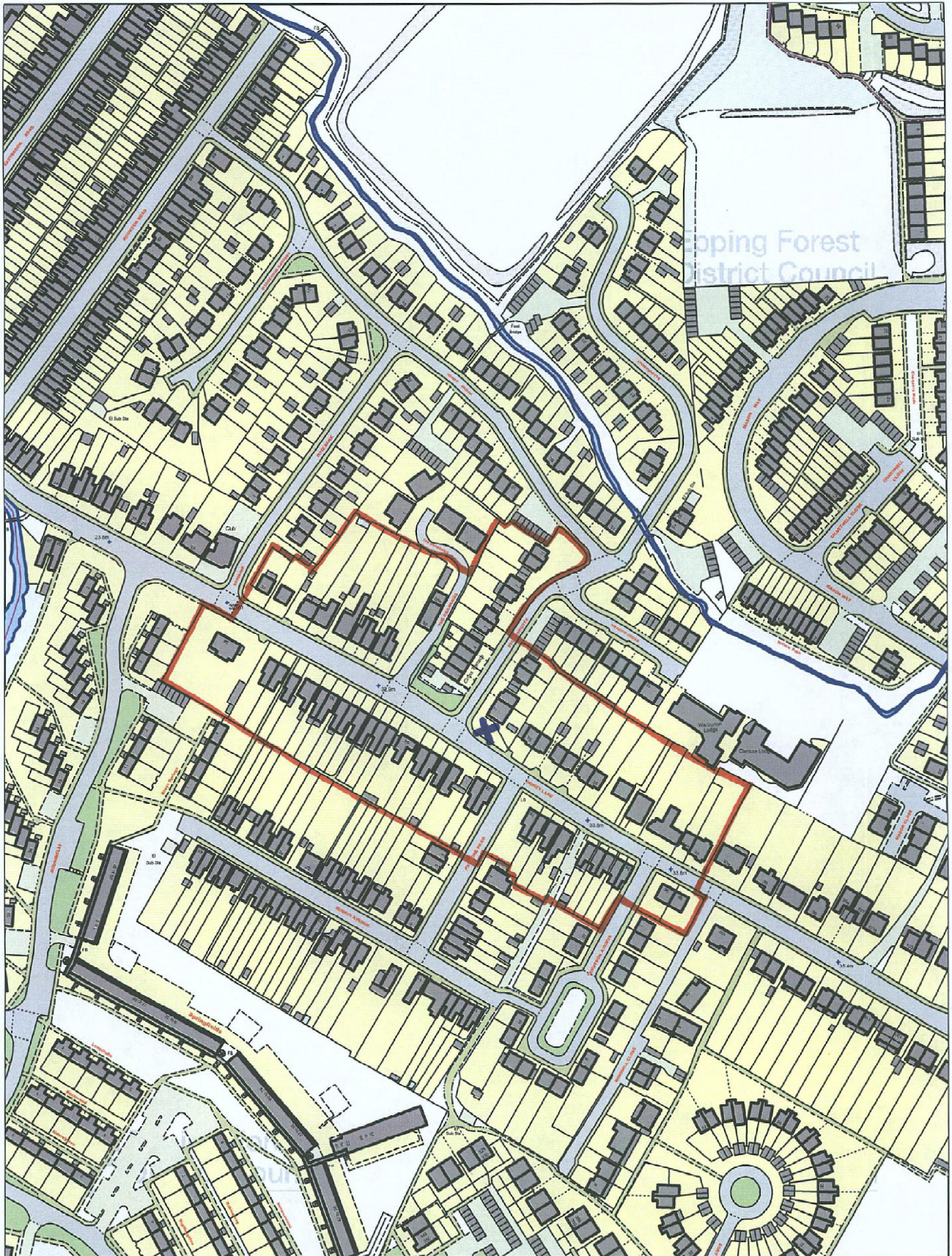
Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

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

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

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

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Epping Forest District Council
 Planning Services
 Civic Offices
 High Street
 Epping CM16 4BZ

APPENDIX 1
 O2 Mast, Honey Lane, Waltham Abbey
 Properties within extent of main
 visual impact.

Scale : 1:2500

Date : 14 Jan 2010

Centre X: 539307.553

Centre Y: 200424.209

Width : 450.000

Angle : .000

Time : 08:29:11 AM

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O2 Mast, Honey Lane, and O2 requirements in Waltham Abbey.

Main points of meeting on 11/2/10 between Messrs Stevenson and Hull of O2, and John Preston and David Baker of EFDC Planning.

- 1) The meeting was prompted by some residents in Honey Lane saying that O2 are looking for other sites for masts in the area, which could mean that the Honey Lane one may well be 'relocated'.
- 2) As part of their draft rollout plans O2 are considering an installation at the Marriot Hotel at the eastern end of Honey Lane. O2 have a nation wide agreement with Marriots, and the hotel accepts installations in part because hotel guests can be provided with good coverage. Also all new O2 installations would be shared with another provide ie Vodafone.
- 3) Mr. Stevenson explained that further work was required from the O2 technical team as to whether the Marriot would be a replacement for, or an additional facility, to the O2 mast in Honey Lane. David Baker had doubts that The Marriot' easterly location would provide sufficient coverage by itself. He suggested that westerly locations in the Brooker Road industrial estate, and /or Galley Hill nurseries, could accommodate a new mast. This would provide more coverage to Waltham Abbey in addition to the Marriot mast - so as to allow the Honey Lane mast to be removed.
- 4) Mr. Stevenson said that they will submit draft proposals for the Marriot, including the area to be covered, in the week commencing 15/2/10.

PL/DB

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Date: March 4 2010

Mr J Stevenson
Telefonica O2 UK Limited
218 Purley Way
Croydon
CR0 4XG

John de Wilton Preston (01992) 564111
email: jpreston@eppingforestdc.gov.uk

Dear Mr Stevenson

O2 Masts, Waltham Abbey

I refer to our meeting in this office with yourself, your colleague and David Baker of Development Control on February 11 2010, during which we discussed your mast at Stonyshotts/ Honey Lane and your company's desire to achieve a new mast on the roof of the Marriott Hotel at Waltham Abbey.

Although O2's aspirations for a further mast is not in the annual roll out plan from last year you indicated that it is in a revision of that plan which has not yet been published.

We briefly discussed some of the technical issues surrounding the case for such a mast within the Marriott site, and it was agreed that your technical advisors would be considering these points in more detail.

My expectation was that you will shortly be in a position to be able to provide us with more details of such a proposal, for example a more specific position, details of the height/ design of such a rooftop mast, the details of the cell or cells which it would cover and so that we can give such a proposal more consideration and which will then enable us to indicate whether a specific planning permission would be required or whether the project would be covered by the "prior approval" procedures.

It seems clear to me that a rooftop mast on such a large building complex is a quite different proposition from a "roadside" mast; although there are residential properties that adjoin the site of the Marriott Hotel.

It would be very useful for all concerned to understand how we could move forward quickly in this matter, recognising, of course, that due processes will have to be observed, but I would be very glad to hear of an intended timescale from you, as to when we might receive the information described in paragraph 4 above.

I am under pressure to achieve a way forward with you, failing which I need to report back to the Cabinet of the Council.

Yours sincerely

John de Wilton Preston
Director of Planning & Economic Development

Date: March 26 2010

Mr J Stevenson
Telefonica O2 UK Limited
218 Purley Way
Croydon
CR0 4XG

John de Wilton Preston (01992) 564111
email: jpreston@eppingforestdc.gov.uk

Dear Mr Stevenson

Re: O2 Masts, Waltham Abbey

I refer to my letter of March 4 2010 and my e-mail to you, which was sent the following week.

We had a very positive meeting on February 11 2010, and I was disappointed that I do not appear to have heard anything further from O2 despite the above communications.

It is appreciated that you were passing matters onto colleagues with particular technical expertise, but I am sure that you will not be surprised to hear that I am being pressed to advise others of where we have got to; and I do not want to give a negative impression where one is not actually warranted.

I would therefore appreciate an update on the queries I posed in paragraphs 4-6 of my letter of March 4. I will be copying this letter to one of the key councillors who has been asking about progress.

Yours sincerely

John de Wilton Preston
Director of Planning & Economic Development

cc Cllr Ms Syd Stavrou

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**Epping Forest
District Council**

Report to the Cabinet

Report reference: C-022-2009/10
Date of meeting: 13 September 2010

Portfolio: Housing

Subject: Open Market Shared Ownership Scheme

Responsible Officer: Alan Hall (01992 564004)
Director of Housing

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That the Council pilots, in 2010/11, the previously agreed Open Market Shared Ownership (OMSO) Scheme, but with Broxbourne Housing Association (BHA) instead of Moat, operated in the way previously agreed by the Cabinet subject to the following changes:

- (a) applicants of the Scheme also being allowed to purchase two-bedroomed houses;
- (b) the maximum property purchase price being increased to £210,000;
- (c) the purchased property being of modern construction, of brick/block or brick/timber cavity construction;
- (d) applicants also being able to purchase a property in Hertfordshire, or a London Borough immediately neighbouring the Epping Forest District;
- (e) if the Scheme is subsequently extended to a Phase 2, BHA's marketing, legal and administration costs being reduced from £2,500 to £2,000; and
- (f) if the scheme is over-prescribed, priority being given to those applicants seeking to purchase the cheapest properties;

(2) That the Director of Housing and the Director of Corporate Support Services be authorised to agree the detail of the scheme and the necessary legal agreements;

(3) That the Pilot Scheme be funded from the £435,000 payment received by the Council from McCarthy & Stone to fund affordable housing within the District (in accordance with the Section 106 Agreement for its recently completed development in Epping), in order to fund 8 shared ownership properties, and that budget provision be made within the Housing Capital Programme for 2010/11 accordingly;

(4) That the existing budget of £350,000 for the OMSO Scheme within the Housing Capital Programme for 2010/11 be carried forward to 2011/12; and

(5) That the success of the Pilot Scheme be reviewed by the Housing Portfolio Holder on completion, and that the Housing Portfolio Holder be authorised to extend the OMSO Scheme into a Phase 2 in 2011/12, if he considers appropriate, to provide a further 6 shared

ownership properties, utilising the £350,000 budget provision.

Executive Summary:

The Cabinet has previously agreed to pilot an innovative Open Market Shared Ownership (OMSO) Scheme to enable housing applicants on the Council's Housing Register to have an opportunity to get a foot on the home ownership ladder, and select a property on the open market that they would like to purchase on a shared ownership basis.

The Housing Association that the Council previously agreed to operate the Scheme with is no longer interested. However, following discussions with a number of other housing associations, Broxbourne Housing Association has expressed an interest to work in partnership with the Council to introduce the Scheme. A small number of changes to the previously-agreed Scheme are proposed.

Following a capital receipt from a developer required by a Section 106 Agreement, it is suggested that, on completion of the Pilot Scheme, consideration is given to the possible extension of the Scheme to assist 8 more applicants, funded from this capital receipt.

Reasons for Proposed Decision:

House prices within the District continue to be very high, resulting in many local people being unable to purchase their own home. The operation of the previously-agreedOMSOScheme, but with BHA, would assist 6 applicants on the Council's Housing Register to enter home ownership. An extension of the Scheme would assist a further 8 applicants.

If house prices increase, the Council's investment in the Open Market Shared Ownership Scheme would increase proportionately and would be re-couped when shared-owners purchase additional equity shares up to 100% (staircasing). The receipts would then be re-invested in further equity purchases to assist other applicants. The previously-agreed Risk Sharing Agreement would minimise and mitigate the Council's risk, especially if property prices decrease.

Other Options for Action:

- Not to operate the Pilot Scheme.
- To operate the Pilot Scheme with another housing association (but no others have been interested to date).
- Not to authorise the Housing Portfolio Holder to extend the Scheme to assist a further 8 applicants.
- Not to plan for the possible extension of the Scheme, and to not utilise the capital receipt from the developer to provide affordable housing on this Scheme.

Report:

Introduction

1. In December 2007, the Cabinet agreed to undertake a pilot scheme for an innovative new initiative with Moat Housing Group (one of the Council's Preferred Housing Association Partners, and the Homebuy Agent for Essex). The initiative was referred to as the Council's Open Market Shared Ownership (OMSO) Scheme and a capital budget provision of £350,000 was agreed to undertake a Pilot Scheme.

2. In simple terms, the previously-agreedOMSOScheme would enable housing applicants on the Council's Housing Register (including Council tenants) an opportunity to get a foot on the home ownership ladder, and select a property on the open market that they would like to purchase on a

shared ownership basis. Moat would purchase the selected property, and provide a shared ownership lease to the applicant. The applicant would hold 50% of the property's equity, and Moat and the Council would hold the remaining 50%. The applicant's equity purchase would be funded, as usual, through a mortgage from a bank or other lender and any cash deposit. Moat's equity share would be financed by a loan, with the interest payments for the loan funded from the rent that the applicant would pay in respect of the equity they did not own. Since this would be insufficient to fund the whole 50%, the Council would provide Moat with an interest-free loan to purchase the balance of the equity, secured by a mortgage.

3. The Cabinet recognised that this would enable the Council to assist local people to access home ownership, by using the Council's capital resources to invest in private housing – which would increase if the property's value increased – instead of providing, for example, non-returnable grants to housing association to provide affordable housing.

4. The main elements of the Scheme's operation, as agreed by the Cabinet in December 2007, are reproduced at Appendix 1.

Subsequent Circumstances

5. Shortly after the Cabinet agreed to go ahead with the Scheme, the Government introduced (and funded) a similar scheme, called MyChoiceHomebuy; the Housing Portfolio Holder therefore agreed to hold the Council's OMSO Scheme in abeyance. MyChoiceHomebuy proved to be very popular, however the following year, the Government ended the scheme, since it wanted to divert Government funding into new house-building by housing associations, to help kick-start the faltered housing market.

6. Moat was therefore approached to establish whether it would like to proceed with the Council's OMSO Scheme. However, Moat responded that its priority was to respond to the Government's policy of increasing new house-building, and therefore no longer wished to pursue the OMSO Scheme with the Council.

7. When the Housing Scrutiny Panel set up its Affordable Housing Sub-Group to consider ways in which the Council could increase the amount of affordable housing within the District, it considered this issue, and the Cabinet agreed the Sub-Group's recommendations that:

- (a) the £350,000 budget provision for the OMSO Scheme should be retained within the Capital Programme; and
- (b) that the Director of Housing should contact other Homebuy Agents to discuss the possibility of one of them working with the Council to operate the OMSO Scheme.

8. The Cabinet also agreed that, in the event that it is not possible to identify a housing association to undertake the OMSO Scheme, the budget should be utilised to supplement the existing budgets for the Council's Home Ownership Grants Scheme and for funding a housing association to purchase two or three houses from the open market, in order to let them at affordable rents to Council nominees.

9. The Director of Housing not only approached the two Homebuy Agents for neighbouring regions (Aldwyk and Orbit), he also approached the Council's four remaining Preferred Housing Association Partners. However, none expressed an interest in working with the Council, either because they wanted to concentrate on new-build schemes, or because there was a very limited financial return for them.

10. However, subsequent discussions with Broxbourne Housing Association (BHA) – the stock transfer housing association set up by neighbouring Broxbourne Council to purchase that Council's

housing stock – have established that BHA would be very interested in working in partnership with the Council to introduce an OMSO Scheme. BHA considers the scheme to be very innovative; appropriate in the current market; a scheme that gives choice to housing applicants; and a model that is likely to be attractive to offer other local authorities.

Proposed changes to the previously-agreed OMSO Scheme

11. BHA has considered the OMSO Scheme that the Council worked up with Moat and, with a few amendments, has agreed in principle to introduce a similar scheme in partnership with the Council. The proposed changes are set out below.

12. Generally, property values in the District have returned to their 2007 values. According to Hometrack, property values in the District in April 2010 were as follows:

Type	Average	Lower Quartile
1 Bed Flat	£142,000	£125,000
2 Bed Flat	£205,000	£169,000
2 Bed House	£260,000	£210,000

13. In order to increase the number of applicants who would be interested and eligible for the scheme, and to offer increased choice to applicants, it is suggested that:

- (a) Applicants should be allowed to purchase two-bedroomed houses, in addition to one and two bedroom flats;
- (b) The maximum property purchase price should be increased to £210,000; and
- (c) Applicants should also be able to purchase a property in Hertfordshire, or a London Borough immediately neighbouring the Epping Forest District.

14. In order to ensure that the property is sound, and to reduce the risk of structural problems, it is suggested that the property should be of modern construction (and of brick/block or brick/timber cavity construction). In any event, the property purchase would be subject to a structural survey. If the Scheme is over-prescribed, it is suggested that priority should be given to those applicants seeking to purchase the cheapest properties.

Funding and Extending the Scheme

15. As explained earlier, the Cabinet has already made provision within this year’s Housing Capital Programme of £350,000 to fund the OMSO Scheme. However, separately, the Council has recently received a payment of £435,000 from the developer, McCarthy & Stone, to fund affordable housing within the District, in accordance with the Section 106 Agreement for its recently completed development in Epping. Since the payment must be used to increase the provision of affordable housing, it is suggested that the existing budget provision of £350,000 is carried forward from 2010/11 to 2011/12, and that the £435,000 payment is used to fund the OMSO pilot scheme this year (2010/11), and that budget provision be made within the Housing Capital Programme accordingly. This increased budget would fund 8 shared ownership properties.

16. The £350,000 budget provision in 2011/12 could then be earmarked to fund a possible extension of the OMSO (Phase 2) in 2011/12. This would fund a further 6 shared ownership

properties. BHA has confirmed that it would be willing to extend the scheme next year, if the Pilot Scheme is successful, and has agreed to reduce its marketing, legal and administration costs to £2,000 per property for any extension of the scheme.

17. It is therefore suggested that the success of the Pilot Scheme should be reviewed by the Housing Portfolio Holder on its completion, and that the Housing Portfolio Holder be authorised to extend the OMSO Scheme into a Phase 2, if he considers appropriate.

Resource Implications:

Utilisation of the £435,000 payment from McCarthy & Stone to fund the scheme in 2010/11. The provision of a further £350,000 within the Housing Capital Programme for 2011/12 to possibly extend the Scheme.

Legal and Governance Implications:

The community wellbeing powers contained paragraphs (b) and (c), Section 2(1) of the Local Government Act 2000. One of the visions within the current Community Strategy is for Epping Forest to be a district that has safe, decent and attractive housing that meets the needs of those who want to live in the District and Objective 2 relating to the vision is to make affordable housing available, in rural and urban locations, for people who want to live in the District.

Safer, Cleaner and Greener Implications:

None

Consultation Undertaken:

In addition to Moat, two other Homebuy Agents and the Council's other four Preferred Housing Association Partners have been consulted on their interest in operating the Scheme, and have declined. BHA has been consulted on the proposed Open Market Shared Ownership Scheme and has suggested some minor changes referred to in the report.

Background Papers:

- Previous report to the Cabinet dated 17 December 2007;
- Proposal from BHA dated 5 August 2010; and
- Housing Policy File H701.

Impact Assessments:

Risk Management

The main risks of the Scheme, which were previously identified and reported to the Cabinet, are if:

- (a) The value of the property(ies) for which the Council has provided loans - at the time a shared-owner wishes to purchase additional equity - is less than the value at the time the Council originally provided the loan;
- (b) The shared owner defaults on their mortgage; or
- (c) If BHA was to go into liquidation.

In the first two cases, BHA would be at the same risk as the Council. However, these risks will be

mitigated by the Risk Sharing Agreement previously agreed by the Cabinet (and agreed in principle by BHA), included within the Operation of the Scheme in the Appendix.

Based on national experience, and the financial regulation of housing associations by the Tenant Services Authority, the third case is highly unlikely.

Equality and Diversity:

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

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

What equality implications were identified through the Equality Impact Assessment process?
Applicants with an income lower or higher than that required by the Scheme would be ineligible. However, this is to ensure that applicants with insufficient income do not over-stretch themselves, and that applicants on a high income, who can afford to purchase on the open market without assistance, do not stop others utilising the scheme.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
The report explains that the Scheme is to benefit those people who are unable to purchase on the open market, but have sufficient funds to be able to participate.

**Operation of the Open Market Shared Ownership (Pilot) Scheme with Moat
agreed by the Cabinet on 17 December 2007**

- (a) Moat to purchase the (head) leasehold of one and two-bedroomed flats on the open market, chosen by housing applicants on the Council's Housing Register approved under the scheme, up to a maximum property purchase price of £190,000;
- (b) Moat to simultaneously provide long (sub) leases for 50% of the equity to the applicants, using Moat's existing standard Do-it-Yourself-Shared Ownership (DIYSO) lease;
- (c) The applicant's lender (mortgagee) to have the first charge on the applicant's leasehold interest in the property;
- (d) Part of Moat's equity purchase to be funded through a private loan, with the amount of loan dependent on the amount of rent that can be charged to repay the interest (see 1(f) below), with Moat's funders to have a floating (first) charge on Moat's leasehold interest in the property (i.e. the headlease);
- (e) The remainder of Moat's equity purchase to be funded by an interest-free loan from the Council, secured by a mortgage on Moat's leasehold interest in the property through the Council having a second charge;
- (f) Applicants to pay Moat an initial annual rent equivalent to 2.5% of the value of the equity held by Moat, plus buildings insurance and a management fee;
- (g) No rent to be received by the Council;
- (h) Shared owners to be able to purchase up to three additional tranches of equity shares after 12 months ("staircasing"), subject to a minimum tranche of 10% of the unsold equity, with the price based on the open market value of the property at the time of each tranche purchase;
- (i) The risk to the Council's loan to be minimised and mitigated through a legally binding Risk Sharing Agreement with Moat, detailing the terms and the effect of equity sales, including the following key elements:
 - (i) The proceeds from each tranche of equity sale to be split between Moat and the Council, with the Council's share (capital receipt) representing the same percentage of the value of the equity sold as the percentage that the original loan represented of Moat's original equity purchase;
 - (ii) Any net receipts received by Moat from staircasing to be kept by Moat in a ring-fenced, interest-bearing account, and used to help fund further shared equity purchases in the future or, at the Council's discretion, to fund other affordable housing schemes;
 - (iii) If property values decrease, assuming that the ring fenced account holds a credit balance, Moat to be entitled to draw funds from the ring-fenced account to make up the difference between its capital receipt and Moat's private loan; and
 - (iv) If no positive balance exists in the ring-fenced account, the account to show a notional negative balance, with incurring interest charges, for a period until any surpluses

from future transactions are drawn in by Moat and the account returns to a positive balance;

- (j) The capital receipts received by the Council as a result of staircasing to be held and included within the Capital Programme, to fund further loans for shared equity purchases under the Scheme in the future, unless the Cabinet decides otherwise;
- (k) Moat's usual income multiples to be used to determine the minimum required income levels to participate in the scheme;
- (l) The purchased property must be within Essex;
- (m) Moat's marketing, legal and administration costs to met by a one-off fee of £2,500 per purchase, funded from the Council's loan;
- (n) Applicants must be registered on the Council's Housing Register and that priority to the Scheme be given in the following order, in both cases prioritised by reference to the Council's Housing Allocations Scheme:
 - (i) 1st Priority - Council tenants on the Council's Housing Register; and
 - (ii) 2nd Priority - Non-Council tenants on the Council's Housing Register; and
- (o) If the scheme is over-prescribed, that priority be given to those applicants seeking to purchase a one-bedroomed property;

Report to the Cabinet

Report reference: C-029-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Finance & Economic Development

Subject: Revised Council's Treasury Management Strategy Statement and Investment Strategy 2010/11 to 2012/13

Responsible Officer: Brian Moldon (01992 564455).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the amended 2010/11 Treasury Management Strategy Statement and Investment Strategy 2010/11 to 2012/13 be recommended to the Council for approval;**
- (2) That the deletion of the local performance indicator on investment returns be recommended to the Council for approval; and**
- (3) That the Treasury Management Prudential Indicators for 2010/11 to 2012/13 be noted.**

Executive Summary:

The Council is required to approve the Treasury Management Strategy and Prudential Indicators each year. This was achieved for 2010/11 when Members approved this in February 2010. However, the Council changed its treasury advisors in May and this report is to bring the Treasury Strategy in line with advice from our new treasury advisors Arlingclose.

The strategies, as amended if necessary, will be scrutinised by the Audit and Governance Committee on 20 September 2010 prior to consideration by Council on 28 September 2010.

Reasons for Proposed Decision:

The proposed decision is necessary to bring our Treasury Management Strategy and Investment Strategy in line with the views of our treasury advisors Arlingclose.

Other Options for Action:

Members could ask for additional information about the Treasury Management Strategy, or not recommend the revised Strategy to the Council for approval.

Report:

Introduction

1. The Council's treasury activities are strictly regulated by statutory requirements and a professional code of practice (the CIPFA Code of Practice on Treasury Management –

revised November 2009). There is a requirement for Council to approve its treasury and investment strategy and prudential indicators each year.

2. The Council approved the Treasury Management Strategy and Investment Strategy for 2010/11 and the Prudential Indicators for 2010/11 to 2012/13 in February 2010 as part of the budget process.

3. The Strategy was prepared in line with advice from our treasury advisors at that time, Butlers. However, the Council appointed Arlingclose to act as treasury advisors from 1 May 2010 for a period of three years. The attached report at appendix 1 shows the revised Strategy in line with our new advisors.

Changes from Original Strategies

4. Although the layout between the strategy approved in February 2010 and the proposed strategy being requested to be approved are different, there are very few changes in relation to how and when the Council can invest. The original strategy had two minimum criteria for credit rated counterparties (i.e. banks) for investments up to £5m and £10m. Under the new revised strategy there will be only one limit up to £10m. The changes in minimum credit ratings are shown in the table below:

Strategy	Limit up to	Rating Agencies					
		Moody's		S & P		Fitch	
		Short term	Long term	Short term	Long term	Short term	Long term
Original	£5 million	P-2	A2	A-1	A	F1	A
	£10 million	P-1	Aa3	A-1+	AA-	F1+	AA-
Revised	£10 million	P-1	A1	A-1	A+	F1	A+

5. There has been a change in the minimum credit score for short and long term ratings. The revised score has reduced when comparing against the original rating required for investments up to £10m, but has increased when compared against the investment up to £5m. This has resulted in a number of counterparties being removed from the approved list, due to their credit ratings. In order to ensure we can invest all our money, it is now necessary to set up new accounts with foreign banks we had not used previously.

6. The maximum investments in a non-UK Country by the Council has also been changed from an original agreed limit of 10% of the portfolio (approximately £5m) to now being £10m per non-UK Country in line with Arlingclose advice.

7. A new investment activity has been added to the strategy, this being the purchase of Bonds issued by multilateral development banks i.e. European Investment Bank. This will have a limit of £10m and can have a maximum maturity of 10 years, although any investments will only be undertaken on advice from our treasury advisors.

8. Previously the Council has included a local performance indicator measuring the Council's performance for average rate of interest earned against the 7 Day LIBID (the London Interbank Bid) rate. Following the changes in the revised Code of Practice on Treasury Management and the refocus on Security and Yield, it is now felt inappropriate for this benchmark to remain. The Council will continue to report at the Outturn, our average rate of interest against the 7 Day LIBID, but to set a target for officers to achieve could

suggest that officers should be concentrating as much on rates, as it would on security and yield.

9. No changes to the Prudential Indicators have been made.

Resource Implications:

None.

Legal and Governance Implications:

The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2009/10);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the ODPM (now DCLG) has issued Investment Guidance to structure and regulate the Council's investment activities.
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

The Council's external treasury advisors provided the framework for this report and have confirmed that the content satisfies all regulatory requirements.

Background Papers:

The original Treasury Management Strategy for 2010/11 and Prudential Indicators for 2010/11 to 2012/13 went to Council on 16 February 2010.

Impact Assessments:

Risk Management

As detailed in the appendices, a risk averse position is adopted to minimise the chance of any loss of the capital invested by the Council.

Equality and Diversity:

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

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

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

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

Epping Forest District Council Treasury Management Strategy Statement and Investment Strategy 2010/11 to 2012/13

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- 1. Background**
- 2. Balance Sheet and Treasury Position**
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- 7. 2010/11 MRP Statement**
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Appendices

- A. Current and Projected Portfolio Position
- B. Prudential Indicators
- C. Interest Rate Outlook
- D. Specified Investments for use by the Council
- E. Non- Specified Investments for use by the Council

Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

1. Background

1.1 The Chartered Institute of Public Finance and Accountancy's Code of Practice for Treasury Management in Public Services (the "CIPFA TM Code") requires local authorities to determine the Treasury Management Strategy Statement (TMSS). This statement also incorporates the Investment Strategy as required under the Communities and Local Government (CLG) Investment Guidance. Together, these cover the financing and investment strategy for the forthcoming financial year.

In response to the financial crisis in 2008 and the collapse of the Icelandic banks, CIPFA revised the TM Code and Guidance Notes as well as the Prudential Indicators in late November 2009. CLG has produced revisions to Investment Guidance which came into force from 1 April 2010.

1.2 CIPFA has defined Treasury Management as:

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

1.3 The Council is responsible for its treasury decisions and activity. No treasury management activity is without risk. The successful identification, monitoring and control of risk is an important and integral element of its treasury management activities. The main risks to the Council's treasury activities are:

- Liquidity Risk (Inadequate cash resources)
- Market or Interest Rate Risk (Fluctuations in interest rate levels)
- Inflation Risk (Exposure to inflation)
- Credit and Counterparty Risk (Security of Investments)
- Refinancing Risk (Impact of debt maturing in future years)
- Legal & Regulatory Risk

1.4 The strategy also takes into account the impact of the Council's Revenue Budget and Capital Programme on the Balance Sheet position, the current and projected Treasury position (Appendix A), the Prudential Indicators (Appendix B) and the outlook for interest rates (Appendix C).

1.5 The purpose of this Treasury Management Strategy Statement is to approve:

- A revised Treasury Management Strategy for 2010-11 which previously went to members in February (Borrowing - Section 4, Investments - Section 5)
- Prudential Indicators – Appendix B (NB - PI No. 6 - The Authorised Limit is a statutory limit)
- MRP Statement – Section 7
- Use of Specified and Non-Specified Investments – Appendices D & E

**Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

2. Balance Sheet and Treasury Position

2.1 The underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) together with Balances and Reserves are the core drivers of Treasury Management Activity. The estimates, based on the current Revenue Budget and Capital Programmes, are set out below:

	31 Mar 10 Estimate £m	31 Mar 11 Estimate £m	31 Mar 12 Estimate £m	31 Mar 13 Estimate £m
CFR	-0.784	-0.784	-0.784	-0.784
Balances & Reserves	-28.391	-21.774	-19.104	-18.210
Net Balance Sheet Position	-29.175	-22.558	-19.888	-18.994

2.2 The Council's level of physical debt and investments is linked to these components of the Balance Sheet. The current portfolio position is set out at Appendix A. Market conditions, interest rate expectations and credit risk considerations will influence the Council's strategy in determining the borrowing and investment activity against the underlying Balance Sheet position.

2.3 As the CFR represents the level of borrowing for capital purposes and revenue expenditure cannot be financed from borrowing, net physical external borrowing should not exceed the CFR other than for short term cash flow requirements. It is permissible under the Prudential Code to borrow in advance of need up to the level of the estimated CFR over the term of the Prudential Indicators. Where this takes place the cash will form part of its invested sums until the related capital expenditure is incurred. This being the case net borrowing should not exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years other than in the short term due to cash flow requirements. The revisions to the CLG's Investment Guidance recommend that the Strategy should state the authority's policies on investing money borrowed in advance of need. Currently the Council has a negative CFR and is able to finance its capital programme without borrowing. Therefore, the issue of borrowing in advance of need does not arise as no borrowing is currently being undertaken.

2.4 The move to International Financial Reporting Standards (IFRS) has implications for the Capital Financing Requirement components on the Balance Sheet. Analysis of the Council's Operating leases against IFRS requirements may result in the related long term assets and liabilities being brought onto the Council's Balance Sheet. The estimates for the CFR and Long Term Liabilities will therefore need to take into account such items. This will influence the determination of the Council's Affordable Borrowing Limit and Operational Boundary.

Epping Forest District Council
Treasury Management Strategy Statement
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- 2.5 The Department for Communities and Local Government has recently consulted on proposals to reform the council housing subsidy system. The proposed Self-financing option would require a one-off reallocation of housing debt. As the consultation period has only recently ended and the mechanism for debt transfer has not been determined, the estimates set out in this strategy do not take into account any potential debt transfer that may arise in future years.
- 2.6 The estimate for interest payments in 2010/11 is nil and for interest receipts is £0.897m.

3. Outlook for Interest Rates

The economic interest rate outlook provided by the Council's treasury advisor, Arlingclose Ltd, is attached at Appendix C. Financial markets remain reasonably volatile as the structural changes necessary within economies and the banking system evolve. This volatility provides opportunities for active treasury management. The Council will reappraise its strategy from time to time and, if needs be, realign it with evolving market conditions and expectations for future interest rates.

4. Borrowing Requirement and Strategy

- 4.1 The Council's underlying need to borrow for capital purposes is measured by reference to its Capital Financing Requirement (CFR) – see Appendix B. The CFR represents the cumulative capital expenditure of the local authority that has not been financed. To ensure that this expenditure will ultimately be financed, local authorities are required to make a Minimum Revenue Provision for Debt Redemption (MRP) from within the Revenue budget each year.
- 4.2 Capital expenditure not financed from internal resources (i.e. Capital Receipts, Capital Grants and Contributions, Revenue or Reserves) will produce an increase in the CFR (the underlying need to borrow) and in turn produce an increased requirement to charge MRP in the Revenue Account.
- 4.3 Physical external borrowing may be greater or less than the CFR, but in accordance with the Prudential Code, the Council will ensure that net external borrowing does not, except in the short term, exceed the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years. However, the Council is debt free and expects to remain so for the foreseeable future.

5. Investment Policy and Strategy
Background

- 5.1 Guidance from CLG on Local Government Investments in England requires that an Annual Investment Strategy (AIS) be set.

Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

Investment Policy

- 5.2 To comply with the CLG's guidance, the Council's general policy objective is to invest its surplus funds prudently. The Council's investment priorities are:
- security of the invested capital;
 - liquidity of the invested capital;
 - an optimum yield which is commensurate with security and liquidity.
- The CLG's revised Guidance on investments reiterates security and liquidity as the primary objectives of a prudent investment policy. The speculative procedure of borrowing purely in order to invest is unlawful.
- 5.3 Investments are categorised as 'Specified' or 'Non Specified' investments based on the criteria in the CLG Guidance. Potential instruments for the Council's use within its investment strategy are contained in Appendix D.
- 5.4 The credit crisis has refocused attention on the treasury management priority of security of capital monies invested. The revisions to the CLG's Investment Guidance state that a specified investment is one made with a body or scheme of "high credit quality". The Council will continue to maintain a counterparty list based on these criteria and will monitor and update the credit standing of the institutions on a regular basis. This assessment will include credit ratings and other alternative assessments of credit strength as outlined in paragraph 5.12. The CLG's revisions to its Guidance on local government investments recommend that the Investment Strategy should set out the procedures for determining the maximum periods for which funds may prudently be committed. Such decisions will be based on an assessment of the authority's Balance Sheet position with the limit being set in Prudential Indicator 12 - Upper Limit for total principal sums invested over 364 days.
- 5.5 The CLG's revisions to its Guidance on local government investments recommend that the strategy should state the authority's policies on investing money borrowed in advance of spending needs. As this authority is debt free and intends to remain so, no borrowing will be undertaken.
- 5.6 The Council's current level of investments is presented at Appendix A.

Investment Strategy

- 5.7 The global financial market storm in 2008 and 2009 has forced investors of public money to reappraise the question of risk versus yield. Income from investments is a key support in the Council's budget. The UK Bank Rate has been maintained at 0.5% since March 2009. **Short-term money market rates are likely to remain at very low levels which will have a significant impact on investment income.** The Council's strategy must however be geared towards this development whilst adhering to the principal objective of security of invested monies.
- 5.8 The Director of Finance & ICT, under delegated powers, will undertake the most appropriate form of investments in keeping with the investment objectives, income and risk management requirements and Prudential Indicators.

**Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

Investments managed in-house:

- 5.9 The Council's shorter term cash flow investments are made with reference to the outlook for the UK Bank Rate and money market rates.
- 5.10 In any period of significant stress in the markets, the default position is for investments to be made with the Debt Management Office.
- 5.11 Currently the Council has restricted its investment activity to:
- The Debt Management Agency Deposit Facility (The rates of interest from the DMADF are below equivalent money market rates. However, the returns are an acceptable trade-off for the guarantee that the Council's capital is secure)
 - AAA-rated Money Market Funds with a Constant Net Asset Value (CNAV)
 - Deposits with other local authorities
 - Business reserve accounts and term deposits. *These have been primarily restricted to UK institutions that are rated at least A+ long term (or equivalent), and have access to the UK Government's 2008 Credit Guarantee Scheme (CGS)**
 - Bonds issued by Multilateral Development Banks
Please see Appendix D for a breakdown of current counterparties, instruments and limits used.

**Eligible Institutions could issue new guaranteed debt under the CGS until 28/02/2010, after which only existing guaranteed debt could be rolled over.*

- 5.12 Conditions in the financial sector have begun to show signs of improvement, albeit with substantial intervention by government authorities. In order to diversify the counterparty list, the use of comparable non-UK Banks for investments is now considered appropriate.

The sovereign states whose banks are to be included are Australia, Canada, Finland, France, Germany, Netherlands, Spain, Switzerland and the US. These countries, and the Banks within them (see Appendix D), have been selected after analysis and careful monitoring of:

- Credit Ratings (minimum long-term A+)
- Credit Default Swaps
- GDP; Net Debt as a Percentage of GDP
- Sovereign Support Mechanisms / potential support from a well-resourced parent institution
- Share Price

Following the recent downgrades by S&P and Fitch to the sovereign rating of Spain, the two Spanish Banks that were on our lending list; BBVA and Banco Santander SA has been suspended.

The Council has also taken into account information on corporate developments and market sentiment towards the counterparties. The Council and its Treasury Advisors, Arlingclose, will continue to analyse and monitor these indicators and credit developments on a regular basis and respond as necessary to ensure security of the capital sums invested.

Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13

We do remain in a heightened state of sensitivity to risk. Vigilance is key. This modest expansion of the counterparty list is an incremental step. In order to meet requirements of the revised CIPFA Treasury Management Code, the Council is focusing on a range of indicators (as stated above), not just credit ratings.

Limits for Specified Investments are set out in Appendix D.

5.13 To protect against a prolonged period of low interest rates, 1-year deposits and longer-term secure investments will be actively considered within the limits the Council has set for Non-Specified Investments (see Appendix E). The longer-term investments will be likely to include:

- **Supranational bonds (bonds issued by multilateral development banks):**
The joint and individual pan-European government guarantees in place on these bonds provide security of the principal invested. Even at the lower yields likely to be in force, the return on these bonds will provide certainty of income against an outlook of low official interest rates.

6. Balanced Budget Requirement

6.1 The Council complies with the provisions of S32 of the Local Government Finance Act 1992 to set a balanced budget.

7. 2010/11 MRP Statement

The Annual MRP Statement is subject to Council approval and may therefore be reported separately to Council instead of being incorporated into the TMSS.

7.1 The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 (SI 2008/414) place a duty on local authorities to make a prudent provision for debt redemption. Guidance on Minimum Revenue Provision has been issued by the Secretary of State and local authorities are required to "have regard" to such Guidance under section 21(1A) of the Local Government Act 2003.

7.2 The four MRP options available are:

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

NB This does not preclude other prudent methods.

The 2009 SORP and IFRS may result in leases being brought on balance sheet. Where this is the case the CFR will increase, which will lead to an increase in the MRP charge to revenue. MRP for these items will match the annual principal repayment for the associated deferred liability.

**Epping Forest District Council
Treasury Management Strategy Statement
and Investment Strategy 2010/11 to 2012/13**

7.3 MRP in 2010/11: Options 1 and 2 may be used only for supported expenditure. Methods of making prudent provision for self financed expenditure include Options 3 and 4 (which may also be used for supported expenditure if the Council chooses).

7.4 The MRP Statement was approved by Council before the start of the 2010/11 financial year. If it is ever proposed to vary the terms of the original MRP Statement during the year, a revised statement should be put to Council at that time. The current approved statement is as follows:

As the Council is currently debt-free and intends to remain so for the foreseeable future, there is no requirement to make a provision for external debt payment. If the Council identifies a need to borrow externally, the Council will draw up a minimum revenue policy in accordance with proper accounting practice, and will present this to members for approval.

7.5 The Council's CFR at 31st March 2010 is estimated to be £0.784m Negative and as such under Option 2 (the CFR Method) there is no requirement to charge MRP in 2010/11.

8. Reporting on the Treasury Outturn

The Director of Finance & ICT will report to the Finance & Performance Management Cabinet Committee on treasury management activity / performance as follows:

(a) A mid-year and year end review of treasury activity against the strategy approved for the year.

(b) The Council will produce an outturn report on its treasury activity no later than 30th September after the financial year end.

(c) Audit & Governance Committee will be responsible for the scrutiny of treasury management activity and practices.

9. Other items

Training

CIPFA's revised Code requires the Director of Finance & ICT to ensure that all members tasked with treasury management responsibilities, including scrutiny of the treasury management function, receive appropriate training relevant to their needs and understand fully their roles and responsibilities.

The CLG's revisions to its Guidance on local government investments recommend that the Investment Strategy should state what process is adopted for reviewing and addressing the needs of the authority's treasury management staff for training in investment management.

Training for officers is identified through the annual Performance Development Review which is reviewed quarterly. Training needs and courses attended are discussed monthly at the treasury management meeting held between the Director of Finance & ICT and treasury staff.

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Investment Consultants

The CLG's revisions to its Guidance on local government investments recommend that the Investment Strategy should state:

- Whether and, if so, how the authority uses external contractors offering information, advice or assistance relating to investment and
- How the quality of any such service is controlled.

The Council appointed Arlingclose to act as Investment Consultants from 1 May 2010 for a period of three years. Regular meetings are held with Arlingclose to discuss the performance of the Council's investments and any opportunities arising in the market.

Publication

The CLG's revisions to its Guidance on local government investments recommend that the initial strategy and any revised strategy should, when approved, be made available to the public free of charge, in print or online.

This document will be published on the Council's website.

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APPENDIX A

EXISTING PORTFOLIO PROJECTED FORWARD

	31 Mar 10 Actual £m	31 Mar 11 Estimate £m	31 Mar 12 Estimate £m	31 Mar 13 Estimate £m
Total External Debt	0.0	0.0	0.0	0.0
Investments:				
<i>Managed in-house</i>				
- Deposits and monies on call and Money Market Funds	44.018	50.000	46.000	46.000
- Debt due from other Authorities	0.507	0.481	0.452	0.424
Total Investments	44.525	50.481	46.452	46.424
(Net Borrowing Position)/ Net Investment position	44.525	50.481	46.452	46.424

Although the Council is debt-free and expects to remain so for the foreseeable future, there is a reducing element of debt taken out on behalf of other local authorities. Epping Council has repaid the underlying external debt in full from its own resources; the authorities concerned are paying the Council their share of the debt plus interest

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APPENDIX B

PRUDENTIAL INDICATORS 2010/11 TO 2012/13

1 Background:

There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators. It should be noted that CIPFA undertook a review of the Code in early 2008, and issued a revised Code in November 2009.

2. Net Borrowing and the Capital Financing Requirement:

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

The Director of Finance & ICT reports that the authority had no difficulty meeting this requirement in 2009/10, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

3. Estimates of Capital Expenditure:

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

No. 1	Capital Expenditure	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Non-HRA	9.857	6.063	8.511	2.864	1.686
	HRA	6.840	8.143	6.956	7.011	6.317
	Total	16.697	14.206	15.467	9.875	8.003

3.2 Capital expenditure will be financed as follows:

Capital Financing	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
Capital receipts	7.646	4.557	7.720	2.561	1.383
Grants	2.261	1.621	0.841	0.353	0.353
Major Repairs Allowance	5.265	6.503	5.143	5.511	5.567
Revenue contributions	1.525	1.525	1.763	1.450	0.700
Total	16.697	14.206	15.467	9.875	8.003

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4. Ratio of Financing Costs to Net Revenue Stream:

4.1 This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs net of investment income. The definition of financing costs is set out at paragraph 87 of the Prudential Code.

4.2 The ratio is based on costs net of investment income. As the Council is debt-free, these are based on investment income and are therefore negative.

No . 2	Ratio of Financing Costs to Net Revenue Stream	2009/10 Approved %	2009/10 Revised %	2010/11 Estimate %	2011/12 Estimate %	2012/13 Estimate %
	Non-HRA	-6.04	-3.18	-2.52	-3.23	-6.27
	HRA	-6.26	-3.29	-2.60	-3.35	-6.49
	Total	-12.30	-6.47	-5.12	-6.58	-12.76

5. Capital Financing Requirement:

5.1 The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and its financing. It is an aggregation of the amounts shown for Fixed and Intangible assets, the Revaluation Reserve, the Capital Adjustment Account, Government Grants Deferred and any other balances treated as capital expenditure**.

No . 3	Capital Financing Requirement	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Non-HRA	22.019	22.019	22.019	22.019	22.019
	HRA	-22.803	-22.803	-22.803	-22.803	-22.803
	Total CFR	-0.784	-0.784	-0.784	-0.784	-0.784

*** in line with CIPFA's guidance, any investments or other items not falling within the classification of fixed or intangible assets, but financed from capital resources must be included within the CFR for the purposes of this calculation.*

5.2 There is no change in the year-on-year for the CFR as we are not intending to borrow in the foreseeable future.

6. Actual External Debt:

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6.1 This indicator is obtained directly from the Council's balance sheet. It is the closing balance for actual gross borrowing plus other long-term liabilities. This Indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.

No. 4	Actual External Debt as at 31/03/2009	£m
	Borrowing	0
	Other Long-term Liabilities	0
	Total	0

7. Incremental Impact of Capital Investment Decisions:

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

No. 5	Incremental Impact of Capital Investment Decisions	2009/10 Approved £	2010/11 Estimate £	2011/12 Estimate £	2012/13 Estimate £
	Increase in Band D Council Tax	-0.71	-0.42	0.68	1.77
	Increase in Average Weekly Housing Rents	0.04	0.11	4.85	5.96

8. Authorised Limit and Operational Boundary for External Debt:

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

8.2 The **Authorised Limit** sets the maximum level of external borrowing on a gross basis (i.e. not net of investments) for the Council. It is measured on a daily basis against all external borrowing items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Council's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

8.3 The Authorised Limit has been set on the estimate of the most likely, prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

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

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No. 6	Authorised Limit for External Debt	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Borrowing	5.0	5.0	5.0	5.0	5.0
	Other Long-term Liabilities	0.0	0.0	0.0	0.0	0.0
	Total	5.0	5.0	5.0	5.0	5.0

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

No. 7	Operational Boundary for External Debt	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
	Borrowing	0.5	0.5	0.5	0.5	0.5
	Other Long-term Liabilities	0.0	0.0	0.0	0.0	0.0
	Total	0.5	0.5	0.5	0.5	0.5

9. Adoption of the CIPFA Treasury Management Code:

9.1 This indicator demonstrates that the Council has adopted the principles of best practice.

No. 8	Adoption of the CIPFA Code of Practice in Treasury Management
	The Council approved the adoption of the CIPFA Treasury Management Code at its Council meeting on 18 April 2002.

The Council is incorporating the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.

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

10.1 These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. This Council calculates these limits on net principal outstanding sums, (i.e. fixed rate debt net of fixed rate investments).

10.2 The upper limit for variable rate exposure has been set to ensure that the Council is not exposed to interest rate rises which could adversely impact on

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the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments

		2009/10 Approved %	2009/10 Revised %	2010/11 Estimate %	2011/12 Estimate %	2012/13 Estimate %
No. 9	Upper Limit for Fixed Interest Rate Exposure	100	100	100	100	100
No. 10	Upper Limit for Variable Interest Rate Exposure	50	50	50	50	50

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

11. Maturity Structure of Fixed Rate borrowing:

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

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

No. 11	Maturity structure of fixed rate borrowing	Lower Limit %	Upper Limit %
	under 12 months	0	100
	12 months and within 24 months	0	0
	24 months and within 5 years	0	0
	5 years and above	0	0

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

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

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No. 12	Upper Limit for total principal sums invested over 364 days	2009/10 Approved £m	2009/10 Revised £m	2010/11 Estimate £m	2011/12 Estimate £m	2012/13 Estimate £m
		30.0	30.0	30.0	30.0	30.0

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APPENDIX C

Arlingclose's Economic and Interest Rate Forecast

	Sep-10	Dec-10	Mar-11	Jun-11	Sep-11	Dec-11	Mar-12	Jun-12	Sep-12	Dec-12	Mar-13
Official Bank Rate											
Upside risk		0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	0.50	0.50	0.50	0.75	1.00	1.25	1.50	2.00	2.50	2.75	3.00
Downside risk				-0.25	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
1-yr LIBID											
Upside risk	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	1.50	1.60	1.75	2.00	2.25	2.50	2.75	3.00	3.25	3.50	3.50
Downside risk		-0.25	-0.25	-0.25	-0.25	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
5-yr gilt											
Upside risk	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	2.50	2.50	2.75	3.00	3.25	3.50	3.75	4.00	4.00	4.00	4.00
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
10-yr gilt											
Upside risk	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50
Central case	3.50	3.75	4.00	4.00	4.25	4.25	4.50	4.75	4.75	4.75	4.75
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
20-yr gilt											
Upside risk	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.50
Central case	4.50	4.50	4.75	4.75	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25
50-yr gilt											
Upside risk	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	4.25	4.50	4.50	4.50	4.75	4.75	4.50	4.50	4.50	4.50	4.50
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25

- The recovery in growth is likely to be slow and uneven, more “Square root” than “V” shaped. The Bank of England will stick to its lower-for-longer stance on policy rates.
- Gilts will remain volatile, more so in the election's aftermath.
- The path of base rates reflects the fragile state of the recovering economy and the significantly greater fiscal tightening of the emergency budget. With growth and underlying inflation likely to remain subdued, the Bank will stick to its lower for longer stance on policy rates.
- The potential for downgrades to UK sovereign ratings has receded, but the negative outlook (S&P) will remain for now.

Underlying assumptions:

- The Bank's May Inflation Report forecasts a slow recovery with an uncertain outlook for corporate and consumer spending. UK Q1 growth (GDP) has been confirmed at 0.3%. The IMF has revised the 2010 growth forecast down 0.1% to 1.2%, while its 2011 forecast was cut from 2.5% to 2.1%. However, the Office for Budget Responsibility has forecasted 2011 growth at 2.3%
- Looming bank regulation, including liquidity and capital requirements, may curb bank lending activity. But FSA regulations should force banks to buy more Gilts which could help slow the rise in yields in 2010/11, a QE by proxy.

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- The employment outlook remains uncertain, as unemployment is near a 16 year high. Pay freezes, short hours, job cuts and a migration toward part time employment will continue through 2010 keeping the headline unemployment number down, but aggregate earnings too. Public Sector rationalisation may add to these figures if private sector job creation can not keep pace.
- Increases in the savings ratio, reduction in net consumer credit and weak consumer confidence are consistent with lower consumption and therefore future trend rate of growth.
- CPI shows that Inflation has edged down to at 3.2%, much of this figure is due to the effects of indirect taxation(VAT). Without indirect taxation (CPI-Y), inflation is 1.5%.
- Initial cuts in public spending and tax increases to address the budget deficit have been announced in the emergency budget. Longer term plans will be set out in the October CSR.
- Sterling recovery against the dollar. The European sovereign debt crisis has led to a rally against the Euro. This will affect the competitiveness of UK exports to trading partners who are under strain.

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APPENDIX D

Specified Investments identified for use by the Council

Specified Investments will be those that meet the criteria in the CLG Guidance, i.e. the investment

- is sterling denominated
- has a maximum maturity of 1 year
- meets the "high credit quality" as determined by the Council or is made with the UK government or is made with a local authority in England, Wales, Scotland or Northern Ireland or a parish or community council.
- the making of which is not defined as capital expenditure under section 25(1)(d) in SI 2003 No 3146 (i.e. the investment is not loan capital or share capital in a body corporate).

"Specified" Investments identified for the Council's use are:

- Deposits in the DMO's Debt Management Account Deposit Facility
- Deposits with UK local authorities
- Deposits with banks and building societies
- *Certificates of deposit with banks and building societies
- *Gilts : (bonds issued by the UK government)
- *Bonds issued by multilateral development banks
- AAA-rated Money Market Funds with a Constant Net Asset Value (Constant NAV)
- Other Money Market Funds and Collective Investment Schemes– i.e. credit rated funds which meet the definition of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573.

** Investments in these instruments will be on advice from the Council's treasury advisor.*

For credit rated counterparties, the minimum criteria will be the short-term/long-term ratings assigned by various agencies which may include Moody's Investors Services, Standard & Poor's, Fitch Ratings:

Long-term minimum: A1 (Moody's) or A+ (S&P) or A+(Fitch)

Short-term minimum: P-1 (Moody's) or A-1 (S&P) or F1 (Fitch).

The Council will also take into account information on corporate developments of and market sentiment towards investment counterparties.

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New specified investments will be made within the following limits:

Instrument	Country	Counterparty	Maximum Limit of Investments £m
Term Deposits	UK	DMADF, DMO	No limit
Term Deposits/Call Accounts	UK	Other UK Local Authorities	No limit
Term Deposits/Call Accounts	UK	Santander UK Plc	10.0*
Term Deposits/Call Accounts	UK	Bank of Scotland/Lloyds TSB	10.0
Term Deposits/Call Accounts	UK	Barclays Bank Plc	10.0
Term Deposits/Call Accounts	UK	Clydesdale Bank	10.0
Term Deposits/Call Accounts	UK	HSBC Bank Plc	10.0
Term Deposits/Call Accounts	UK	Nationwide Building Society	10.0
Term Deposits/Call Accounts	UK	Royal Bank of Scotland/National Westminster Bank	10.0
Term Deposits/Call Accounts	Australia	Australia and NZ Banking Group	10.0
Term Deposits/Call Accounts	Australia	Commonwealth Bank of Australia	10.0
Term Deposits/Call Accounts	Australia	National Australia Bank Ltd	10.0
Term Deposits/Call Accounts	Australia	Westpac Banking Corp	10.0
Term Deposits/Call Accounts	Canada	Bank of Montreal	10.0

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Term Deposits/Call Accounts	Canada	Bank of Nova Scotia	10.0
Term Deposits/Call Accounts	Canada	Canadian Imperial Bank of Commerce	10.0
Term Deposits/Call Accounts	Canada	Royal Bank of Canada	10.0
Term Deposits/Call Accounts	Canada	Toronto-Dominion Bank	10.0
Term Deposits/Call Accounts	Finland	Nordea Bank Finland	10.0
Term Deposits/Call Accounts	France	BNP Paribas	10.0
Term Deposits/Call Accounts	France	Calyon (Credit Agricole Group)	10.0
Term Deposits/Call Accounts	France	Credit Agricole SA	10.0
Term Deposits/Call Accounts	Germany	Deutsche Bank AG	10.0
Term Deposits/Call Accounts	Netherlands	Rabobank	10.0
Term Deposits/Call Accounts	Spain	Banco Bilbao Vizcaya Argentaria	10.0**
Term Deposits/Call Accounts	Spain	Banco Santander SA	10.0**
Term Deposits/Call Accounts	Switzerland	Credit Suisse	10.0
Term Deposits/Call Accounts	US	JP Morgan	10.0
Gilts	UK	DMO	No limit
Bonds	EU	European Investment Bank/Council of Europe	10.0
AAA rated Money Market Funds	UK/Ireland/ Luxembourg	CNAV MMFs	10.0

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	g		
Other MMFs and CIS	UK	Collective Investment Schemes	10.0

NB

Any existing deposits outside of the current criteria will be reinvested with the above criteria on maturity.

The list above is the current counterparty approved by Arlingclose. This list will change from time to time to reflect the latest information in the markets.

Non-UK Banks - these are restricted to a maximum exposure of £10m per country. This means that effectively all the authority's investments can be made with non-UK institutions should you wish, but it limits the risk of over-exposure to any one country.

* Please note that deposits with Santander UK plc are currently restricted to 1 month.

** Please note that Banco Santander SA and Banco Bilbao Vizcaya Argentaria are currently suspended from our lending list, in line with Arlingclose's advice.

APPENDIX E

Non-Specified Investments determined for use by the Council

Having considered the rationale and risk associated with Non-Specified Investments, the following have been determined for the Council's use:

	In-house use	Maximum maturity	Maximum Amount	Capital expenditure?
<ul style="list-style-type: none"> ▪ Deposits with banks and building societies ▪ Certificates of deposit with banks and building societies 	✓ ✓	5 yrs	£20m	No

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<p>Gilts and bonds</p> <ul style="list-style-type: none"> ▪ Gilts ▪ Bonds issued by multilateral development banks ▪ Bonds issued by financial institutions guaranteed by the UK government, e.g. GEFCO ▪ Sterling denominated bonds by non-UK sovereign governments 	<p>✓ (on advice from treasury advisor)</p>	<p>10 years</p>	<p>£10m</p>	<p>No</p>
<p>Money Market Funds and Collective Investment Schemes (pooled funds which meet the definition of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573) but which are not credit rated</p>	<p>✓ (on advice from treasury advisor)</p>	<p>These funds do not have a defined maturity date</p>	<p>£10m</p>	<p>No</p>

1. In determining the period to maturity of an investment, the investment should be regarded as commencing on the date of the commitment of the investment rather than the date on which funds are paid over to the counterparty.

NB Where the option of investing in Banks for periods in excess of 1 year, we advise the following minimum ratings:

	Long-term	Short-term
Fitch	AA- (AA minus)	F1+
Moody's	Aa3	P-1
S&P	AA- (AA minus)	A-1+

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Credit Ratings

Long-Term Credit Ratings

Long-term credit ratings are set up along a scale from 'AAA' to 'D', and adopted and licensed by Standard and Poor (S&P). Moody's also uses a similar scale, but names the categories differently. Like S&P, Fitch also uses intermediate modifiers for each category between AA and CCC (i.e., AA+, AA, AA-, BBB+, BBB, BBB- etc.). Moody's intermediate modifiers for each category between Aa to Caa are Aa1, Aa2, Aa3, A1, A2 etc.

Definitions (from S&P)	Fitch	Moody	Standard & Poor
Has extremely strong capacity to meet its financial commitments. Is the highest credit	AAA	Aaa	AAA
Has very strong capacity to meet its financial commitments. It differs from AAA only to a small degree	AA	Aa	AA
Has a strong capacity to meet its financial commitments, but is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions	A	A	A
Has adequate capacity to meet its financial commitments. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity	BBB	Baa	BBB

Short-Term Credit Ratings

Short-term ratings indicate the potential level of default within a 12-month period.

Definitions (from S&P)	Fitch	Moody	Standard & Poor
Has extremely strong capacity to meet its financial commitments. Is the highest credit rating	F1+	P-1	A-1+
Has strong capacity to meet its financial commitments.	F1	P-2	A-1
Has satisfactory capacity to meet its financial commitments. However, more susceptible to the adverse effects of changes in circumstances and economic conditions	F2	P-3	A-2
Has adequate capacity to meet its financial obligations. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity	F3		A-3

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Report to the Cabinet

Report reference: C-024-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Housing
Subject: Housing Strategy 2009-12 - Key Action Plan 2010/11
Responsible Officer: Alan Hall (01992 564004)
Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That, as recommended by the Housing Scrutiny Panel, the proposed Housing Strategy Key Action Plan 2010/11 – attached to the report at Appendix 1– be adopted.

Executive Summary:

The Housing Scrutiny Panel has considered, and recommends, an updated Housing Strategy Key Action Plan for 2010/11, attached at Appendix 1.

Reasons for Proposed Decision:

The Housing Strategy 2009-2012 includes a Key Action Plan, which the Cabinet has agreed should be updated each year, for the duration of the Housing Strategy.

Other Options for Action:

- To not agree the latest Key Action Plan; or
- To propose different actions.

Report:

1. At its meeting in September 2009, the Cabinet adopted the Housing Strategy 2009-2012. The Housing Strategy assesses the District's current and future housing needs - having particular regard to the Strategic Housing Market Assessment produced by six local authorities in the eastern part of the LCB Sub-Region - and sets out the Council's approach to meeting those needs. As well as taking account of national, regional and sub-regional priorities, it also links with other Council and non-Council strategies that both influence, and are influenced by, the Housing Strategy.

2. The Strategy also includes a Key Action Plan, which sets out the proposed actions that will be taken by the Council to contribute towards the achievement of the housing objectives over the 3 years of the Housing Strategy.

3. The Cabinet also agreed that progress with the Key Action Plan should be monitored on a 6-monthly basis by the Housing Scrutiny Panel, in accordance with its Terms of Reference. The first 6-Month Progress Report was considered by the Housing Scrutiny

Panel in March 2010, and the 12-Month Progress Report was considered in July 2010.

4. When adopting the Housing Strategy, the Cabinet also agreed that Key Action Plans should be produced and updated on an annual basis for approval by the Cabinet. An updated Key Action Plan was therefore considered in detail by the Housing Scrutiny at its meeting in July 2010, which it now recommends to the Cabinet for adoption. The recommended Action Plan 2010/11 is attached at Appendix 1 to this report.

Resource Implications:

There are various resource implications, but these have been, or will be, reported to the Cabinet and/or Housing Portfolio Holder as appropriate and when required.

Legal and Governance Implications:

All proposals comply with the relevant legislations.

Safer, Cleaner and Greener Implications:

A number of the proposals will result in safer and/or greener outcomes.

Consultation Undertaken:

There was extensive consultation undertaken prior to the Housing Strategy 2009-2012 being adopted.

The Housing Scrutiny Panel was consulted on this latest Key Action Plan.

Background Papers:

None.

Impact Assessments:

Risk Management

Any risks associated with the proposed actions will be assessed as part of the individual project proposals.

Equality and Diversity:

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

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

What equality implications were identified through the Equality Impact Assessment process?
A Customer (Equality) Impact Assessment has previously been undertaken on the Council's approach to its Housing Strategy generally, which will be updated later this year. Any Impact Assessments required for individual actions will be undertaken when necessary.

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

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Housing Strategy Key Action Plan 2010-11

No	Category	Action	Responsibility	Timescale	Current Position
1	Housing Market	Following the completion and analysis of the Strategic Housing Market Assessment (SHMA), produce with partner local authorities a Viability Assessment for the SHMA's area of coverage, to assess the amount of housing required in the District.	Principal Planning Officer (Forward Planning)	October 2010	
2	Housing Market	Produce a Strategic Housing Land Assessment (SHLA), to provide an assessment of the potential capacity for new house-building in the District	Principal Planning Officer (Forward Planning)	March 2011	
3	Housing Market	Review the target for the number of new homes to be provided within the District between 2011-2031, following the revocation of the East of England Plan	Principal Planning Officer (Forward Planning)	March 2011	
4	Housing Market	Progress the Local Development Framework's Core Strategy to the Issues and Options Stage	Principal Planning Officer (Forward Planning)	April 2011	
5	Regeneration	Undertake a public consultation on a proposed Development and Design Brief for the St Johns Area of Epping, including market and affordable housing	Asst. Director of Planning & Economic Development	March 2011	

6	Affordable Housing	<p>Work with RSLs and developers to provide 319 affordable homes for rent and shared ownership between April 2010 and March 2012, at the following sites with detailed planning permission:</p> <ul style="list-style-type: none"> (a) Epping Forest College, Loughton (b) St Margarets Hospital, Epping (c) White Lodge/The Limes, Waltham Abbey (d) Ongar Station, Ongar (e) Merlin Way, North Weald (f) Jennikings Nursery, Chigwell (g) Acres Avenue, Ongar (h) Theatre Resource, Ongar (i) School Lane, Abbess Roding (j) Manor Road Garden Centre, Chigwell 	Director of Housing	March 2012	
7	Affordable Housing	Provide 6 Home Ownership Grants of £28,000 to existing Council tenants to purchase in the private sector and review the success of the scheme and the take-up to consider whether the scheme should be continued into 2011/12	Housing Resources Manager	March 2011	
8	Affordable Housing	Introduce an innovative and unique Open Market Home Ownership Scheme with Broxbourne Housing Association (BHA), to enable first time buyers in the District to purchase a	Director of Housing	March 2011	

		property of their choice from the open market through shared ownership, funded jointly by the Council, BHA and the applicant			
9	Affordable Housing	<p>Investigate the feasibility and viability of the Council building social housing for rent itself, including the possible development of the following 6 Council-owned sites:</p> <ul style="list-style-type: none"> (a) Chequers Rd, Loughton (b) Millfield, High Ongar (c) Thatchers Close, Loughton (d) Kirby Close, Loughton (e) Langley Meadow, Loughton (f) Harveyfields, Waltham Abbey 	Director of Housing	March 2011	
10	Affordable Housing	Investigate the development potential of difficult-to-let Council-owned garage sites, where more than 20% of garages are vacant	Director of Housing	March 2011	
11	Affordable Housing	Implement the proposals of the Development and Design Brief for The Broadway, Loughton relating to the Council's land-holdings, to provide significant levels of affordable housing	Director of Housing	December 2011	

12	Affordable Housing	Review the options for the development/conversion of Council-owned Leader Lodge, North Weald and select one of the Council's Preferred RSL Partners through a competitive process to implement the agreed option	Director of Housing	March 2011	
13	Affordable Housing	Work in partnership with one of the Council's Preferred RSL Partners to convert 20 unpopular bedsits for older people at Marden Close, Chigwell Row into 10 self-contained rented flats for families	Director of Housing	Sept 2011	
14	Affordable Housing	<p>Review HomeOption, the Council's Choice Based Lettings Scheme, in partnership with the other local authorities in the Herts and Essex Housing Options Consortium, to consider:</p> <p>(a) Charging housing associations for advertisements of vacant properties, to share the costs;</p> <p>(b) Discontinuing the production of a glossy Freesheet, advertising vacancies, to reduce/redirect costs;</p> <p>(c) Some level of cross-border nominations, to assist mobility</p> <p>(d) Adding a consultation module to the HomeOption Website, to seek the views of users</p>	Asst. Director of Housing (Operations)	Sept 2011	

		<p>(e) Producing a single housing application form for all HEHOC member authorities, to streamline the application process</p> <p>(f) Providing an on-line housing application registration, to ease and improve access to the Housing Options Service</p> <p>(g) Offering the service to private landlords, to bring additional income and increase the housing options available to applicants</p> <p>(h) Adding a link to the HomeSwapper national mutual exchange scheme on the HomeOption website</p>			
15	Affordable Housing	Introduce a policy of disallowing housing applicants to express interest in vacant properties through the HomeOption Scheme for six months, if they have refused two tenancy offers of vacant Council or housing association homes for which they had expressed an interest	Assistant Director of Housing (Operations)	October 2011	
16	Homelessness	Review the funding for the continuation of the Council's Homelessness Prevention Service, in the light of the homelessness grant funding from Communities and Local Government being channelled through Essex CC's Area Based Grant from April 2011	Assistant Director of Housing (Operations)	February 2011	

17	Homelessness	Investigate with the North Essex Mental Health Foundation Trust the possibility of providing dedicated accommodation for vulnerable homeless adults with mental health problems, supported by community psychiatric nurses.	Housing Options Manager	March 2011	
18	Diversity	Compare the ethnicity of applicants provided with Council accommodation with the ethnicity of Housing Register applicants	Housing Options Manager	July 2011	
19	Diversity	Review all customer satisfaction monitoring conducted by the Council's Housing Service to ensure the diversity of customers is monitored in relation to satisfaction	Principal Housing Officer (Information / Strategy)	July 2011	
20	Diversity	Review and update the Customer (Equality) Impact Assessments of the Housing Strategy & Development, Homelessness, Private Sector Housing functions	Director of Housing	March 2011	
21	Gypsies & Travellers	Consider the appropriate number of new pitches required for gypsies and travellers in the district in future, having regard to the County-wide Gypsies and Travellers Accommodation Assessment	Director of Planning and Economic Development	Sept 2011	

22	Supported Housing – Older People & Other Vulnerables	Undertake a Strategic Review of Older People’s Accommodation within the District, and formulate a resultant strategy for future provision of older people’s accommodation	Asst Director of Housing (Operations)	March 2011	
23	Supported Housing – Older People & Other Vulnerables	Work with Essex CC to submit an Outline Business Case to the Department of Health for funding from the Private Finance Initiative to provide a new Extra Care Scheme within the District	Asst Director of Housing (Operations)	March 2011	
24	Supported Housing – Older People & Other Vulnerables	Obtain TSA accreditation for the Council’s Careline Service	Housing Manager (Older People)	April 2011	
25	Supported Housing – Older People & Other Vulnerables	In partnership with East Thames Housing Group, complete a Young Parents Scheme at Ongar Station, in partnership with Brentwood and Uttlesford Councils, to provide 13 self contained flats with adequate support for young parents	Director of Housing	Nov 2010	
26	Supported Housing – Older People & Other Vulnerables	Work with East Thames Housing Group to complete a development of 9 affordable homes for people with learning disabilities, with associated drama therapy from the Theatre Resource Project, at Gt Stony, Ongar	Director of Housing	May 2011	

27	Supported Housing – Older People & Other Vulnerables	Through the LDF Core Strategy, seek to introduce a requirement that all new housing developments in the District should meet the Lifetime Homes Standard	Principal Planning Officer (Forward Planning)	March 2012	
28	Supported Housing – Older People & Other Vulnerables	Contribute towards the production of the Essex Strategy for Home Improvement Agencies (HIAs), setting out the approach to be taken to HIA's in Essex beyond 2011	Private Housing Manager (Grants & C.A.R.E.)	March 2011	
29	Supported Housing – Older People & Other Vulnerables	Liaise with the North Essex Mental Health NHS Foundation Trust to assess the housing need in the District for people with mental health problems and the level of funding available from mental health sources	Director of Housing	March 2011	
30	Supported Housing – Older People & Other Vulnerables	Work with other councils and housing associations to investigate the feasibility of other councils connecting its emergency alarms into the Council's Careline Control Centre	Asst Director of Housing (Operations)	October 2011	
31	Supported Housing – Older People & Other Vulnerables	Install the latest version of the Careline Control Centre monitoring equipment, to improve the Careline Service further and to enable a partnering arrangement to be introduced with another control centre with compatible equipment for business continuity.	Housing Manager (Older Peoples Services)	March 2011	

32	Supported Housing – Older People & Other Vulnerables	Update the Council's obsolete Piper Haven speech alarm equipment in its sheltered housing schemes and designated homes for older people, with the newer Piper Communicall equipment	Housing Manager (Older Peoples Services)	March 2012	
33	Supported Housing – Older People & Other Vulnerables	Work with Essex CC and other Essex councils to minimise the effect of the Government's withdrawal of Supporting People Administration Grant and the likely significant reduction in the Supporting People Programme Grant on vulnerable people within Essex in need of supported housing	Director of Housing	March 2011	
34	Supported Housing – Older People & Other Vulnerables	Introduce the "Hub and Spoke" arrangement to extend the provision of support to older people in the community, including owner occupiers, by the Council's Scheme Managers	Housing Manager (Older Peoples Services)	March 2011	
35	Empty Homes	Develop the Council's web-site to provide further information and advice to the owners of empty properties	Private Housing Manager (Technical)	March 2011	
36	Empty Homes	Bring at least 5 long-term empty properties back into use by Council intervention, including the continued use of the PLACE Scheme	Private Housing Manager (Technical)	March 2011	

37	Empty Homes	Enter into an agreement with Pathmeads Housing Association to manage vacant properties in the District served with an Empty Dwelling Management Order by the Council	Private Housing Manager (Technical)	October 2011	
38	Under-occupation	Write to all under-occupying Council tenants, encouraging them to transfer to smaller accommodation	Housing Options Manager	March 2011	
39	Rural Housing	Continue to work with Hastoe Housing Association and Parish Councils to investigate the development potential for rural housing schemes in villages, through the Council's Rural Planning Exceptions Policy	Director of Housing	October 2012	
40	Rural Housing	Work with Hastoe Housing Association to complete the provision of 6 affordable homes at School Lane, Abbess Roding, through the Council's Rural Planning Exceptions Policy	Director of Housing	March 2011	
41	Decent Homes – Public Sector	Undertake programmes of work to ensure that all the Council's homes continue to meet the Decent Homes Standard	Housing Assets Manager	October 2012	
42	Decent Homes – Private Sector	Undertake a Private Sector House Condition Survey, to provide information on the most up-to-date estimate of the number and location of non-decent homes in the private sector.	Assistant Director of Housing (Private Sector and Resources)	March 2011	

43	Decent Homes – Private Sector	After completion of the Private Sector Stock Condition Survey, produce a new Private Sector Housing Strategy	Assistant Director of Housing (Private Sector and Resources)	Dec 2011	
44	Decent Homes – Private Sector	Introduce new licence conditions for new and existing park home sites in the District, following consultation with site owners, representatives of known park home residents association and statutory agencies	Private Housing Manager (Technical)	March 2011	
45	Housing Growth	Reconsider the Council's position with regard to the allocation of land for housing within the Epping Forest District to contribute towards the growth of Harlow, in the light of the revocation of East of England Plan	Director of Planning and Economic Development	March 2011	
46	Housing Growth	In partnership with Harlow DC, Uttlesford DC and the Homes and Communities Agency, produce a West Essex Joint Investment Plan, setting out the proposed approach and resources required for development and regeneration within the three districts	Deputy Chief Executive	Dec 2010	
47	Energy Efficiency	Seek funding for a small pilot scheme using renewable energy sources to a group of Council properties	Housing Assets Manager	Dec 2011	
48	Energy Efficiency	Set up a Fuel Poverty Referral System in the District.	Environmental Co-ordinator	Dec 2011	

49	Energy Efficiency	Investigate with Hastoe Housing Association the feasibility of developing the second (known) affordable housing development in the country constructed from straw bales at Millfield, High Ongar, significantly reducing thermal efficiency and CO2 emissions	Director of Housing	March 2011	
50	Respect & Anti-Social Behaviour	Produce an updated leaflet for the public on the Council's Anti-Social Behaviour Strategy	Asst. Director of Housing (Operations)	Sep 2011	

Report to the Cabinet

Report reference: C-025-2010/11
Date of meeting: 13 September 2010



Portfolio: Legal and Estates

Subject: Replacement of Restrictive Covenants – Epping Forest College, Loughton

Responsible Officer: Rosaline Ferreira (01992 564409).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the right of pre-emption in respect of the land shown edged thick black on Plan A (attached) and edged thick black on Plan C (attached), which are part of Epping Forest College, be recommended to the Council for unconditional release;**
- (2) That the release of the covenant which restricts the use of this land shown edged thick black on Plan A and replacement with a new covenant to allow the land to be used for residential care and/or nursing home and/or education be recommended to the Council for approval;**
- (3) That the delegation of authority to the Director of Corporate Support Services, in consultation with the Portfolio Holder for Legal and Estates, to negotiate any reasonable variation to the covenant which restricts the use of the land shown edged thick black on Plan C be recommended to the Council for approval; and**
- (4) That the delegation of authority to the Director of Corporate Support Services to agree minor variations to the new covenants, if necessary, be recommended to the Council for approval.**

Executive Summary:

The Council has previously agreed the variation of the restrictive covenants and the release of the right of pre-emption in respect of Loughton Hall Site which previously had formed part of the College site. These same provisions affect this land which adjoins the Loughton Hall. Epping Forest College now wish to sell this has asked that the current restrictions on use be changed to allow residential care or nursing home development and/or an education use. It has also asked that the Council's option to purchase the land at full market value (a right of pre-emption) each time the property is sold is released. The College authorities state that they intend to provide sports facilities on a different area of land owned by the College at Borders Lane as shown edged thick black on Plan B attached and the College states that the local community will have access. These facilities will be provided at a future date when funds become available.

Reasons for Proposed Decision:

The Council's right of pre-emption gives it the option to purchase the land at full market value whenever it is put up for sale. The covenants for use are very restrictive. The combination of these provisions makes it very difficult for the College to sell and greatly affects the value of the land. If the Council agrees to the release of the restrictive user clauses then it will enable the College to gain a better financial footing, which might facilitate the building of new sports

facilities in the future.

Other Options for Action:

- Not to agree to the variation of the restrictive covenant as to use and not to release the right of pre-emption. The College could apply to the Lands Tribunal for the restrictive covenants to be released. It is likely that they would be released. The right of pre-emption could not be released in this way but the College can sell the land if the Council refuses to purchase. This would affect any premium the College could expect to receive for the land.
- To agree to the variation of the restrictive covenant as to use and to make the release of the right of pre-emption conditional upon the building of the sports facilities. Again this would affect the value of the land.
- To require the College to enter into a separate agreement that it constructs the alternative sports facilities within a time limit. The College will not agree to this.

Report:

1. The College site was transferred in 1952 to Essex County Council (ECC) by the then London County Council (LCC). Through local government reorganisations the Epping Forest District Council now have the benefit of both the restrictive covenants and the right of pre-emption. The Loughton College are bound by the covenants and rights of pre-emption.

2. The two covenants and the right of pre-emption are set out below:

(a) Not without the previous consent of the Council to use or allow to be used the Land hereby conveyed or any part thereof for any purpose other than for the purposes of the Education Act 1944 and/or the National Health Services Act 1946.

(b) Not to erect any buildings on the land hereby conveyed or any part thereof except in accordance with layout and site plans first submitted to and approved by the Council but as regards elevational treatment this is not to be subject to approval but the Council are to be given an opportunity as Vendors and adjoining owners of examining the character of the proposed development.

(c) Not during the life or lives of any issue now living or His Late Majesty King George the Fifth or within twenty-one years next after the death of the last survivor of such issue to sell or (except for the purposes aforesaid) to appropriate or to part with the possession of the land hereby conveyed or any part thereof without first offering it for sale to the Council and if during the period aforesaid the Purchaser or its sequels in title shall cease to use the said land or any part thereof for the purposes referred to in paragraph (a) hereof written notice of such successor shall forthwith be given to the Council and the said land or the part thereof in respect of which such user as aforesaid shall have ceased shall at the same time be offered for sale to the Council and if the Council in any of such events decide to purchase within three months of the date of the offer the purchase money for the whole of the land or for any part thereof shall be calculated upon the basis of terms to be approved by the District Valuer in accordance with the statutory basis of compensation applicable to a compulsory purchase transaction ruling at the time together with in either case an additional sum in respect of any buildings standing upon the land assessed on the same basis of valuation PROVIDED ALWAYS that such re-sale to the Council shall be subject to the prior approval of the Ministry of Education or the Ministry of Health as the case may be.

3. Covenants may be released or modified in a number of ways and the most used way is through the Lands Tribunal. In 1998 the Council sought specialist advice from Montagu Evans Chartered Surveyors on the removal of the restrictive covenant relating to the use of the land. A compensation payment would normally be payable to reflect the increase in the value of the land resulting from the development potential. The advice confirmed that if the Council refused

to release the covenant, the matter would be referred to the Lands tribunal who would be likely to agree to the release. The level of compensation would be restricted to the difference in the value of the land with and without the covenant when the transfer took place in 1952 accordingly it would be nominal.

4. A right of Pre-emption is not a restrictive covenant and cannot be discharged by the Lands Tribunal.

5. Cabinet's decision – Minute 55 – 7 September 2009 stated that:

(a) *the “right of pre-emption was to be conditional upon the construction of the new sports facilities when funding becomes available. The means of achieving this to be agreed by the Portfolio Holder for Legal and Estates and the Director of Corporate Support Services”;*

(b) *a new restrictive covenant to be imposed as to use;*

(c) *authority to be delegated to the Portfolio Holder and the Director of Corporate Support Services to agree to any minor variations.*

6. Council's decision – Minute 76 – 29 September 2009 adopted most of what Cabinet had decided with the exception to the release of the right of pre-emption and replaced it with the following:

(a) *that the release of the right of pre-emption in respect of an area of approximately 0.95 acres/0.38 hectares shown edged black only on the attached plan be agreed, subject to Epping Forest College entering into an agreement with the council which contains a contractual commitment by the College to provide new community sports facilities as a priority when funds become available;*

(b) *that the final terms of the contractual commitment be delegated to the Portfolio Holder for Legal and Estates for approval, in consultation with the Solicitor to the Council; and*

(c) *that in the event that an agreement cannot be finalised with the College, a further report be made to Cabinet before the right of pre-emption is released..*

7. The conditional release of the right of pre-emption has been rejected. The College Solicitors have stated that the Deed of Release will need to include a release of the right of pre-emption because the purchasers of the Sports Hall simply will not purchase it with such pre-emption right in place. The purchasers will have no power to compel the College to build the sports premises and it would affect the value of their land if they wished to sell and the right of pre-emption remained.

8. The solicitors have suggested a side letter. However, what has been offered is intended to be a statement of what is intended at this time and would not be contractual obligation enforceable in the future.

9. It has been suggested that we put in the Deed of Release the provision of “new community sports facilities as a priority when funds becomes available”. Again this would not be enforceable as the College is free to allocate their funds to other purposes.

10. If a side letter was to be used or the words mention in paragraph 9 included there will be no guarantee that the sports facilities would be built. It is also believed that the College would want the sale funds to go towards their debts whereas Members have indicated that they would like the sale proceeds to go towards the building of the new sports facilities on land on the south side of Borders Lane.

11. If the Council wished to impose an obligation on the College to provide these facilities which would bind subsequent owners of the College land it could require the College to enter

into a deed of Covenant

12. The problem with positive covenants is that it is necessary to impose a condition that property cannot be sold unless a similar deed of covenant is entered into with the purchasers on completion. However, the College has indicated that they do not wish to be legally bound to provide the sports facilities.

13. Further, the Planning Sub-Committee Area South – 16 June 2010 – application EPF/0533/10 – site address – Loughton Sports Centre – demolition of Loughton Sports Centre – proposal for 85 bed care home development with car parking and landscaped secure garden areas. (Revised application) – decision – refuse permission.

14. The College is in the process of selling some land shown edged thick black on Plan C to Essex University. The site (the car park) is approximately 1.4 acres and the proposal is for the land to be used for education purposes. The Council has therefore been informed that the request to remove the educational covenant does not apply in this instance. Essex University solicitors have reviewed the title and now they are saying they will not proceed with the purchase unless the right of pre-emption in favour of EFDC is removed. Essex University will be investing considerable funds in the site and their lenders will not proceed with an automatic right of pre-emption in place as they want the College to be able to offer the property to the open market in the event that a sale is required in the future. However, the situation may change with regard to the release of the covenant and therefore a recommendation has been included to allow the Council to respond quickly to the College.

15. The difference between the 1952 car parking land value and the unrestricted value is de minimis. Members would need to agree that the restrictive covenant (if necessary be varied) and the right of pre-emption could be released for social environmental or economic reasons.

Resource Implications:

Finance

None. The covenants are of no value.

Personnel

Legal Services

Valuation and Estate Management Service

Land

Covenant and right of pre-emption

Legal and Governance Implications:

Section 123 Local Government Act 1972 – best consideration for the land and property assets. Consent is given for sale of land (covenants are deemed to be a sale for this purpose) can be released for undervalue provided that they are for social economic or environmental reasons.

Safer, Cleaner and Greener Implications:

The buildings' lives have expired, are obsolete and could be replaced by new facilities to modern energy performance standards.

Consultation Undertaken:

None.

Background Papers:

Cabinet 's decision – Minute 55 – 7 September 2009

Council's decision – Minute 76 – 29 September 2009
Planning Area South decision – Report item No 3 – application number EPF/0533/10 –
16 June 2010-

Impact Assessments:

Risk Management

Loss of new sports facilities for the college and wider community.

Equality and Diversity:

No equality issues

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

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

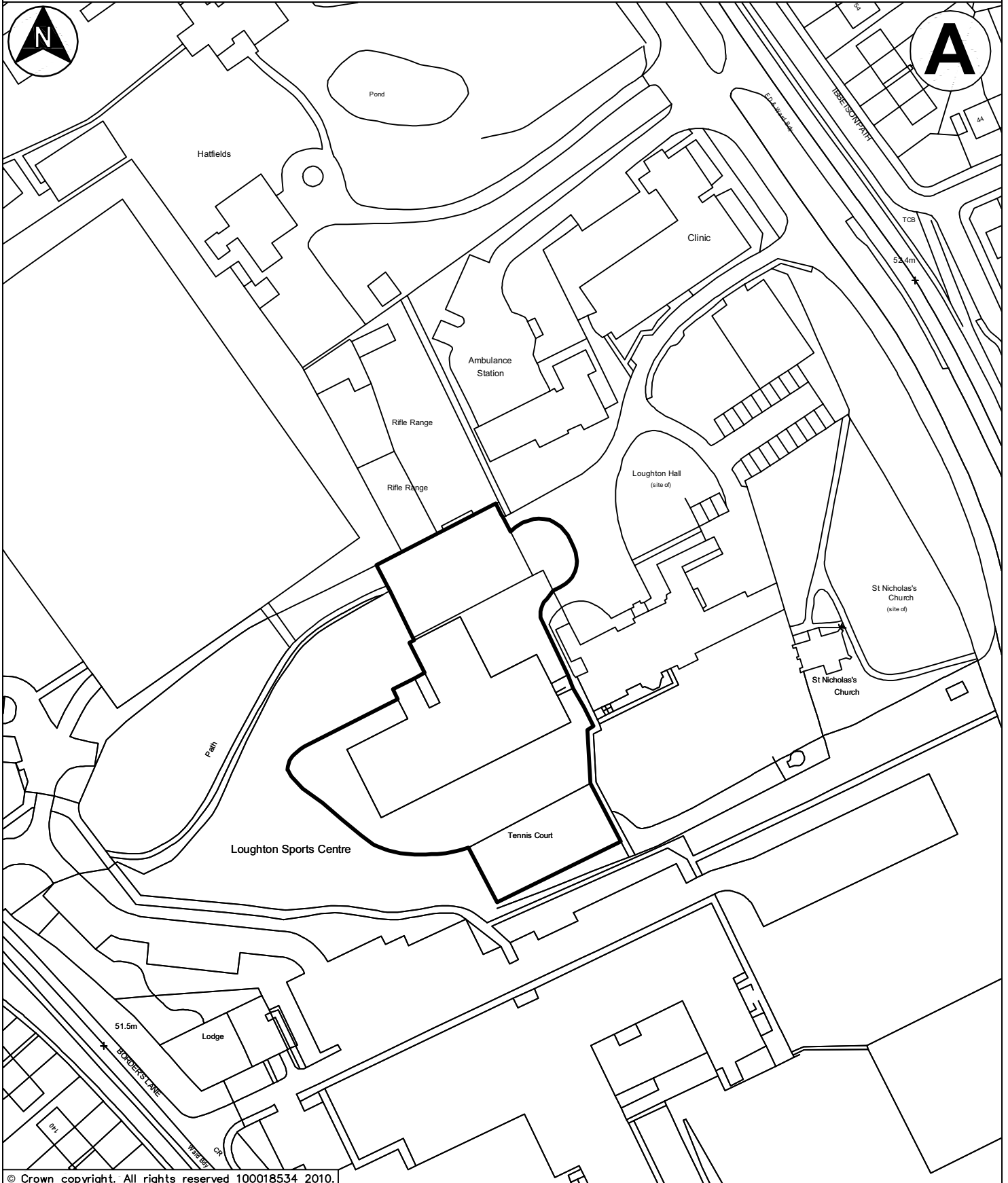
What equality implications were identified through the Equality Impact Assessment process?
N/A

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

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EPPING FOREST DISTRICT COUNCIL

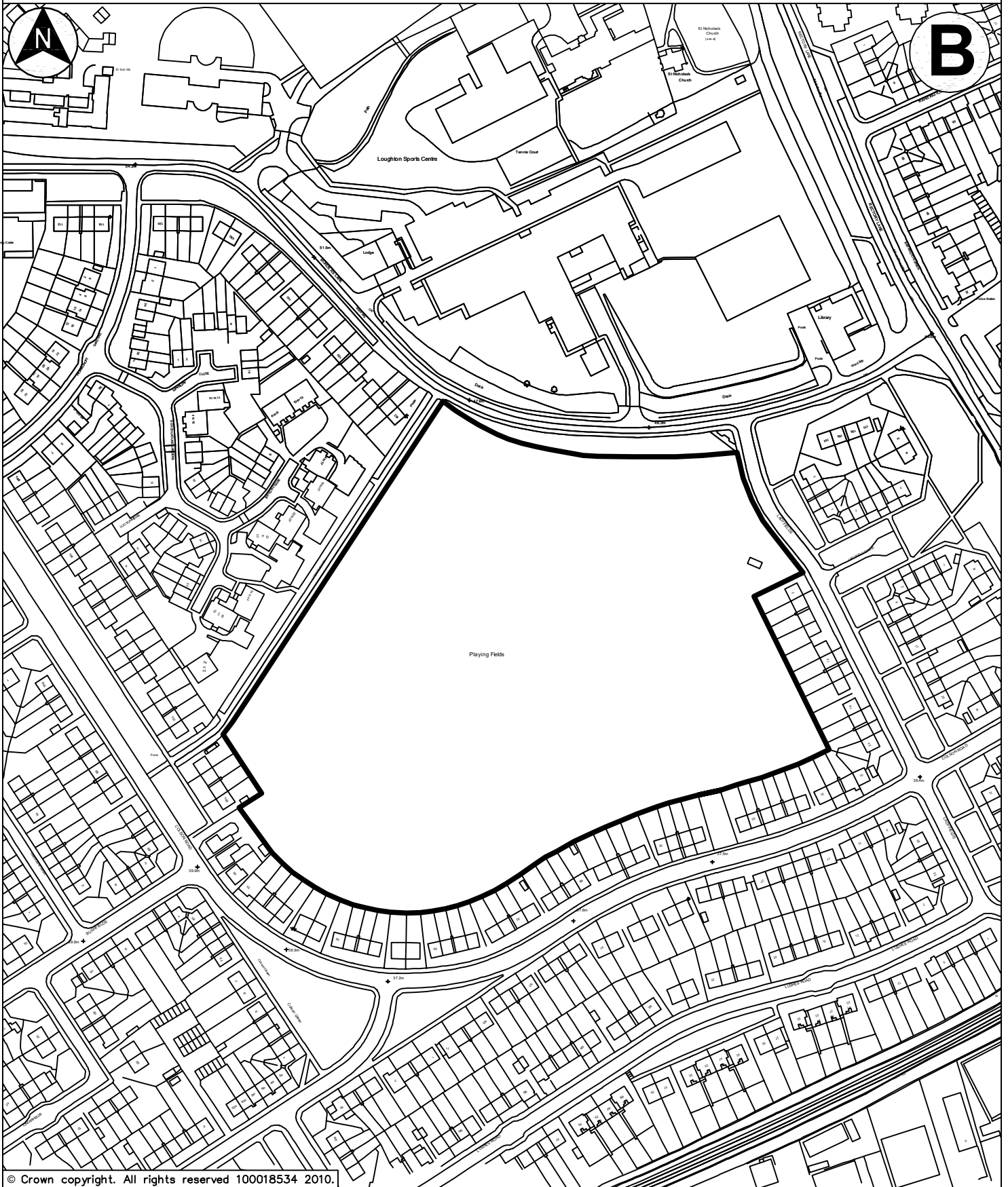


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John Gilbert M.C.I.E.H.M.R.S.H. Director of Environment & Street Scene Civic Offices, High Street Epping, Essex, CM16 4BZ Tel. 01992564000	Project	Content	Date
	Land Plan		Epping Forest College Sports Hall
	Drawing No.		Scale
20100800			1:1250
			Drawn by
			Robert Irwin



EPPING FOREST DISTRICT COUNCIL

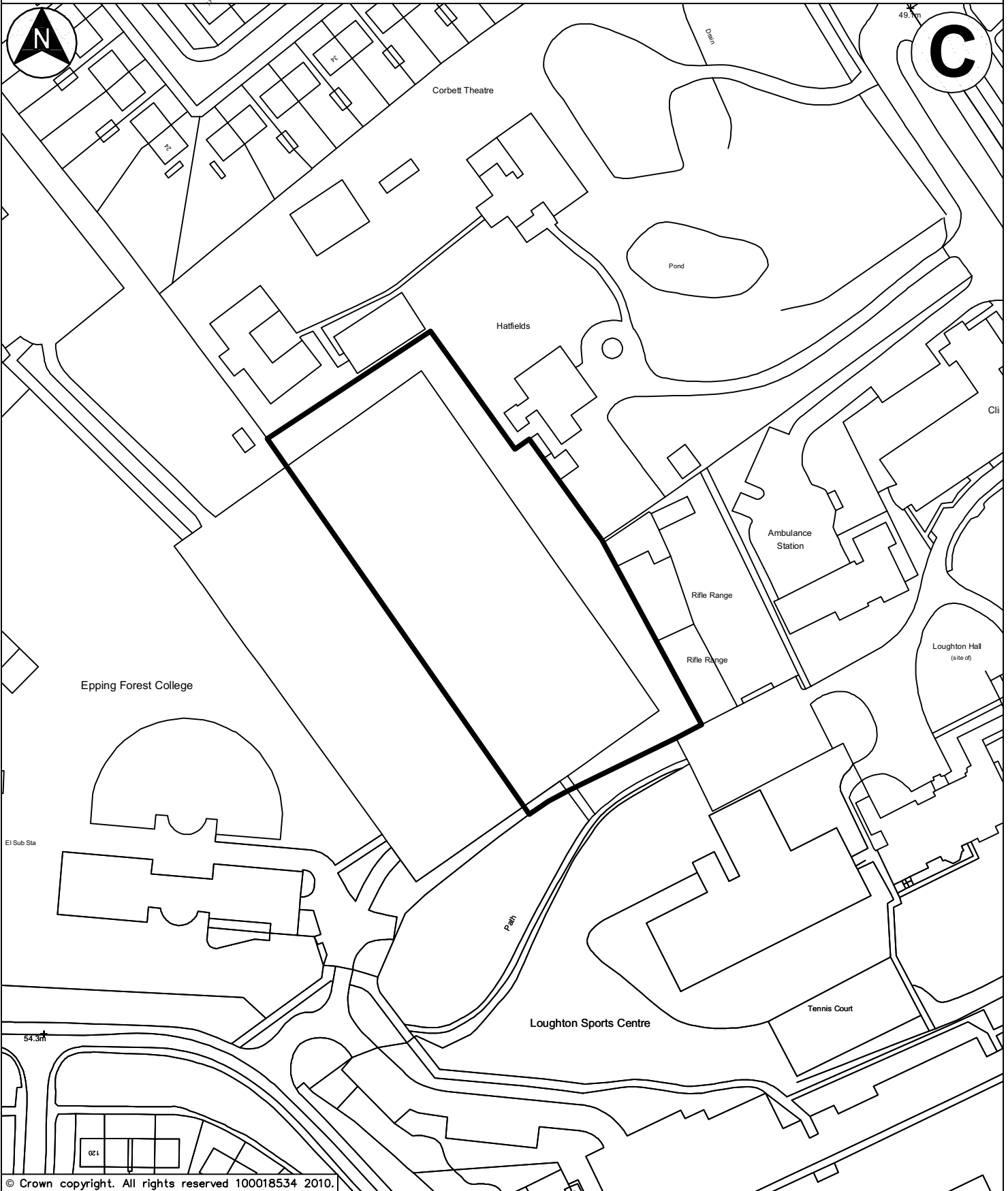


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John Gilbert M.C.I.E.H.M.R.S.H. Director of Environment & Street Scene Civic Offices, High Street Epping, Essex, CM16 4BZ Tel. 01992564000	Project Land Plan	Content Borders Lane Land	Date 13.08.10
	Drawing No. 2010/008100		Scale 1:2500
			Drawn by Robert Irwin



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John Gilbert M.C.I.E.H.M.R.S.H. Director of Environment & Street Scene Civic Offices, High Street Epping, Essex, CM16 4BZ Tel. 01992564000	Project Land Plan	Content Epping Forest College Car Park Land	Date 13.08.10
	Drawing No. 201008001		Scale 1:1250
	Page 101		Drawn by Robert Irwin

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Report to the Cabinet

Report reference: C-026-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Safer & Greener
Subject: Adoption of CCTV Service Delivery Plan and Code of Practice
Responsible Officer: John Gilbert (01992 564062).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That following consideration by the Safer, Cleaner, Greener Scrutiny Standing Panel and the Overview and Scrutiny Committee the CCTV Delivery Plan and associated Code of Practice be adopted.

Executive Summary:

The CCTV Delivery Plan is in effect a strategy for CCTV for the next three to five years. It sets out a programme of installations and maintenance for systems within the District and sets out the associated resource implications. It also seeks to bring together under one management area most of the Council's public facing CCTV systems within the Safer Communities Unit in the Environment & Street Scene Directorate.

The associated Code of Practice is important since it sets down, in accordance with national standards and accepted best practice, how CCTV will be managed and used within the district to provide the safety of the data collected and to ensure the maintenance of public confidence in the systems.

Reasons for Proposed Decision:

To ensure the effective use of CCTV within the District and that it provides usable evidence for the police and other authorised enforcement agencies and is managed in accordance with national and best practice standards.

Other Options for Action:

Alternative options are:

- not to have a planned approach to the installation and maintenance of CCTV;
- not to have CCTV under one management umbrella within the Council; or
- not to operate CCTV systems in accordance with national standards and accepted best practice.

None of the above can be recommended for consideration if public confidence in CCTV is to be retained and the CCTV equipment is to be relied upon to provide credible and usable imagery for use in criminal investigations.

Report:

1. The attached CCTV Service Delivery Plan (SDP) and associated Code of Practice were considered and approved by the Safer, Cleaner, Greener Scrutiny Standing Panel at its meeting back in February 2010. The Panel considered the issue as part of its special meeting which was allocated for the scrutiny of safer communities issues. The Delivery Plan is comprised as follows:

- (a) background and historical context;
- (b) national and local policies;
- (c) aims and objectives;
- (d) position in the District;
- (e) delivery plan and resource implications; and
- (f) a number of appendices.

2. The Plan looks forwards three years in operational terms and five years in funding terms, with the operational stages phased into two distinct stages:

- Phase 1: reviewing and consolidating CCTV systems; and
- Phase 2: developing and integrating systems to ensure compatibility, quality imaging and making best use of new technologies.

3. The attached Code of Practice is a technical working document which describes how CCTV will be managed and operated within the District. This is key to the maintenance of public confidence in the use of CCTV and the handling of captured images and includes specific reference to:

- (a) how we deals with requests to review data;
- (b) individual subject access requests;
- (c) the disclosure of CCTV evidence;
- (d) the protection, storage and cataloguing of data; and
- (e) the evaluation, monitoring and auditing of the systems.

Resource Implications:

As the plan describes we were successful in attracting external funding for capital costs for equipment purchase, from the Safer Communities Partnership (£15,000 in 2009/10) and (£22,000 in 2010/11) and via the Local Strategic Partnership Performance Reward Grant (£35,000 over 2 years). However, the Performance Reward Grant funding has been withdrawn and all unspent funds (£31,250) are to be returned. The delivery plan has been updated to reflect these changes and the addition of further cameras.

The CCTV budget for 2010/2011 includes £47,400 Equipment maintenance and £3500 CCTV Systems maintenance. EFDC has had to meet the ongoing revenue costs of maintenance and downloading data etc. We are aware of locations where the present CCTV

infrastructure is close to failure and in need of replacement, but the estimated costs of full replacement would be significant. Future capital provision will have to be considered for these locations, although Officers will continue to seek external sources of funding wherever possible.

Legal and Governance Implications:

The attached Code of Practice sets out the governance implications for the Council and is described in principle in paragraph 3 of the main report. The Council has the facility to mount covert CCTV operations, but in reality rarely does so, since it is considered preferable for the cameras to be visible for both those who wish to be reassured and those who may be thinking of transgressing the law. On the very rare occasions that covert activity is considered necessary, an application under the Regulation of Investigatory Powers Act (RIPA) would be made to the Chief Executive/Director of Corporate Support Services who will require clear justification for such covert monitoring.

Safer, Cleaner and Greener Implications:

CCTV forms a key component of the Council’s approach to Safer Communities. It is seen as a very effective tool, amongst a number of others in:

- deterring criminal or anti-social behaviour;
- providing high quality to the police and other enforcement agencies for evidential purposes; and
- providing public reassurance in respect of public areas where there have been issues of criminal or anti-social behaviour.

Consultation Undertaken:

None.

Background Papers:

Report to Safer, Cleaner, Greener Scrutiny Standing Panel in February 2010
Report to the Overview & Scrutiny Committee in July 2010
Information Commissioner’s Office Code of Practice (revised) 2008
British Standards 7958:2005, 8418, BS-EN 50132/7, 50132/5 and BS 8495:2007

Impact Assessments:

Risk Management

The presence and use of CCTV carries with it the risk of potential misuse and breach of a number of codes of practice and British Standards. It is essential, if public confidence is to be maintained that all relevant standards are met and that in particular data is correctly stored, handled and only released under appropriate circumstances to relevant authorities or to subjects who have a legal right of access.

Equality and Diversity

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

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

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

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

2009 - 2012

CCTV SERVICE DELIVERY PLAN



Epping Forest District Council

Authors:

Caroline Wiggins

Adrian Petty

safer
cleaner
greener



 **Epping Forest
District Council**

EPPING FOREST
DISTRICT COUNCIL

SERVICE DELIVERY PLAN FOR
CLOSED CIRCUIT TELEVISION
2009 - 2012



Owners:

Epping Forest District Council

Directorate:

Environmental & Street Scene

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Safer Cleaner Greener:

The “Safer Cleaner Greener” (SCG) initiative was adopted by Cabinet in November 2007 alongside the corporate restructure, which was being undertaken at that same time. The initiative was a response to residents’ concerns raised through a range of different media (e.g. The Forrester, BVPP resident questionnaires etc). Residents had expressed concerns about:

- Environmental standards (especially street cleansing);
- Levels of crime and disorder and anti-social behaviour;
- The need to react to climate change and related issues; and
- Waste management

The corporate restructure resulted in the formation of the Environment & Street Scene Directorate, the intention being to better integrate Street Scene related issues, pulling together into one Directorate (amongst other things):

- Waste management
- Environment and public health
- Safer communities
- Grounds maintenance

An enlarged Safer Communities Team was established in autumn 2008 with two additional Anti-social Behaviour Investigators and a new CCTV Operations Officer, under the management of the Safer Communities Manager.

The decision to appoint a CCTV Operations Officer was the result of an almost exponential growth in CCTV systems throughout the district. However, this had not taken place in a controlled way resulting in a proliferation of private and public systems with no policy framework or resources to support them. The public perceive CCTV as an effective deterrent to anti-social behaviour and the Police increasingly rely on the evidence provided from CCTV images in support of their enforcement role. However it was becoming clear that the existing uncontrolled implementation of CCTV meant that it was unable to operate at its full potential with some of the key difficulties identified below:

- Lack of maintenance resource resulting in cameras working below standard or not at all.
- Difficulties in accessing the data for evidential purposes due to system constraints.
- Legal compliance and best practice not being adhered to.

The first CCTV Strategy document is the result of the review of all existing CCTV systems. The Strategy will ensure that from now on the Council's CCTV systems will adhere to the new national standards, comply with data protection legislation and support the overarching objectives of the Council's "Safer, Cleaner, Greener" initiative.

The plan is a combination of:

- Extending actions already taken by the Council demonstrating its commitment to managing responsibly through best practice and sound leadership.
- Identifying the need for change.
- Educating others and raising local awareness in order to provide a consistent and professional approach when embracing new and existing CCTV technology whilst understanding the potential impact of its existence.
- Overcoming regulatory deficiencies through the National CCTV Strategy Programme.

EFDC recognises the view that social acceptance of CCTV should not be taken for granted and in terms of CCTV development and utilisation understands what is deemed acceptable in terms of its use.

The plan will assist us in further developing this critical tool in our fight against crime, anti-social behaviour and in providing safer environments for us to live, visit and work in.

As the name implies, CCTV is a system in which the circuit is closed and all elements are directly connected. This is unlike broadcast television where any receiver that is correctly tuned can pick up a signal from the airwaves. Directly connected in this context includes systems linked by microwave, infrared beams etc.

Probably the most widely known use of CCTV is in security systems and such applications as retail shops, banks, government establishments, etc. The true scope for applications is almost unlimited...some examples are listed below.

- Monitoring of traffic.
- Time lapse recordings for the animation of plasticine puppets.
- Football stadia.
- Recording wildlife.
- Aerial photography using a hot air balloon.
- Casinos.
- High streets.
- Vehicles such as buses and coaches.
- Transport including aircraft and trains.
- Hospital operation rooms.

Basic history of CCTV

Siemens at Test Stand VII in Peenemunde, Germany installed the first CCTV system in 1942, for observing the launch of V2 -rockets. The noted German engineer Walter Bruch was responsible for the design and installation of the system.

In September 1968, Olean in the state of New York was the first city in the United States to install video cameras along its main business street in an effort to fight crime. The use of closed-circuit TV cameras piping images into the Olean Police Department propelled Olean to the forefront of crime-fighting technology.

The use of CCTV later became very common in banks and stores to discourage theft, by recording evidence of criminal activity. Their use further popularised the concept.

In the United Kingdom Kings Lynn & West Norfolk was the first council to introduce a town centre CCTV system in 1987.

In more recent decades, especially with general crime fears growing in the 1990s and 2000s, the use of surveillance cameras in public spaces has significantly increased especially in the United Kingdom.

National level:

Information Commissioner's Office (ICO) Code of Practice (revised 2008)

This code of practice replaces the one first issued in 2000. Since then there have been advances in the way CCTV is used, the technology employed and the legal environment in which it operates. There have also been developments which may help reduce the civil liberty concerns around the use of CCTV. This revised code builds upon the previous guidance reflecting these changes and the lessons learnt of how it is used in practice. During the production of the code discussions have taken place with organisations that use CCTV and a public consultation exercise undertaken which generated many valuable comments. However, the objective of this code remains the same: helping to ensure that good practice standards are adopted by those who operate CCTV. If they follow its provisions this not only helps them remain within the law but fosters public confidence by demonstrating that they take their responsibilities seriously.

The National CCTV Strategy

The strategy is needed to co-ordinate the development of CCTV systems and to ensure that they operate effectively. Some public space CCTV is owned, monitored and managed by individual local authorities using equipment procured at different times for a range of different activities. Some public space CCTV is in private ownership. The usage and effectiveness of CCTV systems therefore varies considerably across the country, compromising the positive impact it can make on local crime and disorder.

In April 2005, the Association of Chief Police Officers (ACPO) submitted a paper to the Home Office, suggesting that there was a need to develop a strategy for the future development of public space CCTV. They expressed the view that without a national strategy there was a risk that:

- The current infrastructure would deteriorate.
- The opportunity to maximise the effectiveness of CCTV and integrate future technologies that could greatly assist policing could be lost.

The National CCTV Strategy presents the results of a wider ranging review of CCTV and its applications in the reduction of crime and in public safety. The strategy reviews the use of CCTV to date, examining both its strengths and its weaknesses and makes recommendations for improving its use and effectiveness in England and Wales. The Strategy highlights 10 key issues:

- (1) The need for standards in all aspects of CCTV;
- (2) The need for clear guidelines and public awareness;

- (3) Training;
- (4) The Police use of CCTV
- (5) Storage/Volume/Archiving/Retention issues
- (6) The need for CCTV networks – live and stored
- (7) Use of CCTV within the Criminal Justice System
- (8) Emerging technologies/Changing threats/New and changing priorities
- (9) Partnership working
- (10) Financial issues

The Strategy sets down recommendations with the intention of ensuring provision of:

- Effective, well managed CCTV, taking into account coverage and costs, the role of the CCTV industry and the views of the public.
- Best practice for partnerships between local authorities, CCTV operators, police officers and the emergency services – offering better protection to the public both as a deterrent and in the investigation of crime.
- Better standards in CCTV operation and in the presentation of imagery closed circuit television

The National CCTV Strategy can be found at www.crimereduction.homeoffice.gov.uk/cctv

This Service Delivery Plan is part of a two stage response to the National CCTV Strategy, setting out the key principles of what we are doing with CCTV, what we intend to do in the future and how that is all to be resourced.

However, that is not in itself sufficient, and therefore, in accordance with the Information Commissioner's Office (ICO), the Council has also produced a CCTV Code of Practice, which is modelled on that developed by the Information Commissioner's Office. The Code of Practice is an important part of the overall strategy for service delivery since it provides detailed information on how the Council will conduct itself in the use of CCTV, covering such as issues as:

- How we use CCTV
- Where we will use CCTV
- What CCTV systems we will use
- The storage and protection of the data collected
- Access to the data collected by persons whose images are captured
- The use of CCTV covertly and the interaction with the Regulation of Investigatory Powers Act 2000 (RIPA)

The Code of Practice is attached to this Service Delivery Plan as Appendix 8.

Service Plan Aims:

The aim is to deploy and use CCTV in appropriate areas of the District in order to:

- help secure and maintain safe environments for those who visit, work in, trade in or enjoy leisure pursuits within the district.
- operate the Council's CCTV schemes fairly and lawfully and only for the purposes for which they were established, or subsequently agreed in accordance with this code.
- regularly monitor, review and enhance the Council's CCTV schemes in order to ensure and improve their effectiveness.

Objectives:

- the formation of a central hub for all Council CCTV matters
- to manage the Council's CCTV systems responsibly by providing a legally compliant service through the implementation of robust CCTV policies and guidelines
- to provide high quality evidence which may be used to further an investigation by the Council or other law enforcement agencies and where appropriate to facilitate the prosecution of offenders.
- to assist in the reduction and prevention of crime.
- to ensure that all CCTV schemes are 'fit for purpose' through preventative and reactive maintenance plans and regular operational requirement reviews.
- to understand and effectively manage the public perception of CCTV

The Council currently operates 32 CCTV public space systems (PSS) throughout the district, involving the management and maintenance of around 200 cameras. This does not include our special operations cameras and deployable portable systems. (See Appendix 8 Code of Practice for locations).

Initial Findings:

After an extensive audit of the systems around 80% were found to fall short of what is considered to be 'fit for purpose' due to, amongst other things:

- equipment not meeting current compliancy standards and recommendations set out by the Home Office Scientific Development Branch (HOSDB) and that of the National CCTV Code of Practice
- a number of systems not having a regular preventative maintenance schedule in place which may result in CCTV evidence not being admissible or credible in court.
- some cameras out of service
- some site locations being restrictive to the user and having health and safety risks attached to them
- some cameras being in locations with inadequate security measures in place
- a large proportion of the systems being at the end of their life
- a number of internal processes require reviewing and updating to provide clear audit trails and accurate data sharing and intelligence gathering
- some systems still operating using "super home video service" (SVHS) tapes which require separate VCR's to retrieve CCTV imagery, and whilst this is still a good form of image quality it is fast becoming obsolete as more systems are using digital technology

What are we doing now?

The Home Office has asked all local authorities to provide 6 digit reference points (Ordnance Survey grid reference) for each individual camera that we control and which covers public space areas. This will contribute to a national database mapping system for use by the Police during criminal investigations.

This Council has been instrumental in the formation of a countywide CCTV User Group. Membership currently includes ourselves, Brentwood, Colchester, Basildon, Chelmsford, Harlow, Thurrock and Tendring and the intention is to use this partnership approach to achieve common goals through experience, success stories, case studies, technical knowledge and expertise. Significant benefits are already being realised, including expenditure reductions, improved intelligence sharing and technical support and guidance.

We are creating a new CCTV maintenance contract for our CCTV network using the Essex Procurement Hub procedures. We anticipate this will provide us with a number of options for suppliers and cost savings.

A new priority Risk Assessment Matrix (RAM) has been introduced in order to be clear and transparent on how we select and identify areas for new CCTV schemes and improvements and upgrades to existing ones. (See Appendix 6)

The Council has also recently become a member of the National CCTV User Group and as such now has access to a wide and varied number of CCTV supportive documents, expertise, a CCTV forum and technical advice.

Our CCTV service plan will be implemented over a 3-year period and will consist of two phases. Each phase is by no means exhaustive in content, and the phases may overlap each other, but each clearly identifies the foundation steps we need to take in order to achieve our CCTV objectives. It is intended to establish a small CCTV working group lead by the CCTV Operations Officer to oversee the delivery of the CCTV Delivery Plan. (See Appendix 1).

Phase 1: The initial phase is based on the reviewing, identifying and consolidating of CCTV systems. We will also review our processes, staff development and budgets.

We have identified of a number of priorities, and these will automatically be incorporated within the phase 1 programme:

- System audit and data base development.
- Consolidation of all EFDC CCTV budgets.
- The preparation of clear procedures for CCTV system use and the handling of video images and stills.
- CCTV compliancy and legal review. Including RIPA.
- Enhance partnership working.
- Where there is a shared 'Data Controller' responsibility, ensuring each knows their duties under the Data Protection Act 1998 and other relevant legislation.

Phase 2: will take the strategy further forwards through enhancement, development and integration, concentrating on upgrades of older systems, project management and integration, and making the best use of emerging and new technologies.

Current position:

When the Council agreed the new arrangements for the Safer Communities Team as part of the adoption of the “Safer, Cleaner, Greener” initiative, additional revenue budget provision of £35,000 was made available for the 2008/09 financial year for CCTV.

For the financial year, 2009/10, £45,960 of revenue was available, broken down into £20,500 for CCTV maintenance, £6430 new equipment and £19,030 for new and upgraded systems. The CCTV budget for 2010/11 includes £47,400 Equipment maintenance and £3500 CCTV Systems maintenance. The Housing Directorate has its own Careline CCTV, and whilst the Safer Communities Team manages the equipment, the Housing Directorate meets its own costs. There remain other CCTV systems “owned” by other Directorates, for which there appears to be no allocated funding. No capital provision has been made in the Council’s current five year capital programme.

The detailed Safer Communities financial breakdown is attached (See Appendix 7).

The Council has been successful in bidding for and attracting external funding to support its own budget provision, with support from the Epping Forest Safer Communities Partnership (CSP) and Performance Reward Grant from the Epping Forest Local Strategic Partnership. This external funding has provided around £20,000 in additional revenue and £35,000 of new capital, and has enabled the provision of portable CCTV cameras for covert operations, CCTV in the Buckhurst Hill underpass and the refurbishment of a number of key CCTV facilities. In January 2010 The CSP agreed a further £22,000 capital funding towards CCTV in Epping High Street. Unfortunately the Performance Reward Grant was withdrawn in July 2010 and any unspent funds from the original £35,000 capital allocation (£31,250) are to be returned.

However, if the CCTV service is to continue to develop and be adequately maintained, additional resources will be required over the life of the Delivery Plan and beyond. To provide some context to this, the costs of typical system purchase and maintenance are set out below:

(a) Maintenance:

A standard preventative maintenance package will average between £500 and £1,500 per year per system and is determined mainly by how many cameras are on each system, their complexity and the need for any specialised equipment in order to access them.

A typical system, with maintenance, can be expected to last between 5 to 7 years.

(b) New / replacement equipment:

The following are typical costs:

- (i) Pan & tilt camera: £1,000 to £3,000 each
- (ii) Deployable camera: £8,000 to £12,000 each
- (iii) Digital data recorder: £1,500 to £2,000 each
- (iv) Annual maintenance: £ 500 to £1,500 depending upon number of cameras
- (v) Computer work station: £ 900
- (vi) Router and firewall: £1,000
- (vii) Telephony: £ 120

Applying these costs to typical systems of a 3 to 4 camera scheme results in costs in the order of £10,000 to £15,000 per scheme. Whilst remote access is expensive, it is more effective than making separate arrangements for imagery to be downloaded by third party contractors on an 'as and when' basis

(c) Re-Deployable systems:

These portable camera systems are designed to deploy in 'hot spot' areas at short notice for a limited time, and cost in the region of £8,000 each. The airtime agreement in order to remotely monitor a deployable camera costs around £302 per annum.

(d) Annual operating costs

Annual operating costs are as follows:

- (i) Telephone rental: £120 per annum
- (ii) Electricity: £120 per annum
- (iii) Remote (broadband) access: £240 per annum

(e) CCTV signs:

It is a legal requirement in public spaces to place signs warning people of the fact that CCTV is in use. The signs must provide key information such as the purpose of scheme, scheme operator details and contact information. Each sign costs in the region of £45 to purchase and erect/attach. The EFDC Corporate CCTV Sign is attached as Appendix 5.

From the costs set out above, if all of the 32 systems currently in place had remote access, there would be costs in the region of £50,000 per annum to operate and maintain. This excludes staffing costs. This is considerably in excess of the current budget of just under £40,000 per annum and is only currently sustainable through the Housing Directorate meeting its own costs and the fact that currently very few of the sites have the benefit of full remote access. Where externally provided capital has been used to procure new systems, the maintenance of these systems falls directly to the Council.

Future demand

If the anticipated demand for CCTV is to be met, additional resources will be required. Wherever possible, existing systems will be reviewed and relocated where it can be shown that there is no longer an operational requirement. However, it is likely that this will not negate the need for additional systems to be provided. All of the systems will require on-going maintenance and provision will have to be made to replace systems as they reach the end of their operational lives or as technological advance renders them unusable. Furthermore, it will become necessary to upgrade more of the sites to full remote access to avoid the need to employ contractors to download data, which is not cost effective in the longer term.

At present, every effort will be made to obtain external funding contributions towards the procurement costs of new systems, and maintenance costs are being consolidated through a procurement exercise with the Essex Procurement Hub, the outcome of which is not yet known. However, a planned process of replacement will be required over the forthcoming years, and whilst this plan operationally covers the next two years, for the purposes of future funding, the plan looks forward for the next five years.

Attached at appendix 8 is the CCTV Code of Practice which contains a list of current CCTV locations setting out details of the installations. Included in that list are the dates of installation, where known, and the anticipated date of system replacement. Using that table the following capital and revenue profile arises which can be seen in the financial breakdown at Appendix 7.

TASK	HOW	WHO	RESOURCES	WHEN	PROGRESS
<p>System audit and database development</p> <p>Identify & collate all EFDC owned and supported CCTV schemes across the district.</p>	<p>Retrieve & collate all existing CCTV documentation from the various service areas, existing champions & incorporate this into a central database.</p> <p>Visit all CCTV locations & identify system manufacturers, models, cameras types and quantities</p> <p>Systematically review & record all current & lapsed maintenance contracts, suppliers, systems plans & drawing where available.</p> <p>Risk assess all systems</p>	<p>Those currently responsible for individual CCTV systems</p>	<p>EXISTING</p>	<p>12 months or less</p>	<p>Database & mapping system</p> <p>Service maintenance needs identified and progressed</p> <p>Procurement used to identify Maintenance Contractor</p> <p>Initial annual contract commenced in October 2009 with option to extend for one year.</p> <p>Task Complete October 2009</p>
<p>Consolidate all CCTV budgets</p> <p>The introduction of a centralised CCTV budget over seen by E&SS</p>	<p>Deliver initial & ongoing communication to all EFDC Directorates who previously had responsibility for CCTV systems , outlining the new CCTV role, its vision & expectations in a bid to consolidate CCTV funding allocated to existing services</p>	<p>Budget holders</p> <p>Finance dept</p> <p>Partnership funds</p>	<p>EXISTING</p>	<p>24 months or less</p>	<p>Funds transferred from all current CCTV budget holders - Completed</p> <p>Careline Maintenance costs to be added October 2010</p> <p>Review of CCTV Officer's time spent on Housing Directorate projects by November 2010</p>
<p>Clear process for compliancy & best practice procedures for the use of CCTV.</p> <p>The implementation of a robust administrative system for the effective management of CCTV.</p>	<p>Carry out complete review of all existing procedures</p> <p>Introduction of new CCTV data requesting forms and procedures</p> <p>Deliver training package for all EFDC staff that have CCTV responsibilities.</p> <p>Staff development training</p> <p>Deliver guidelines to external partners such as Essex Police on procedures for requesting of EFDC CCTV video images & stills</p> <p>Identify those personnel who require SIA licences to use EFDC CCTV</p> <p>Create & introduce spend plan spreadsheets for CCTV</p>	<p>Security Industry Authority (SIA)</p> <p>Service directorates and managers</p> <p>Legal services</p> <p>ICT</p> <p>Partners & stakeholders</p>	<p>EXISTING</p>	<p>24 months or less</p>	<p>Spot checks and audits</p> <p>Staff refresher training</p> <p>Use of Various Performance Indicators (PI's) to determine success rates</p> <p>Procedures for CCTV image requests</p> <p>Process flow chart established for CCTV requests</p> <p>Spend plan spreadsheets up & running</p> <p>RAM tool developed</p> <p>Clear audit trail established for continuity of evidence chain</p> <p>All above completed</p> <p>Staff development and training – Part completed</p>

TASK	HOW	WHO	RESOURCES	WHEN	PROGRESS
Revised CCTV Code of Practice (CoP)	In conjunction with Essex Police, the ICO and National CCTV Strategy Research best practice, based on National CCTV Code of Practice (public document)	Daniel Bond Safer Communities CCTV support Adrian Petty CCTV Operations Officer Legal services Essex Police	EXISTING	Sept 2009	Code of practice completed September 2009 Safer Cleaner Greener Scrutiny Panel February 2010 Final approval Cabinet September 2010
A cost effective maintenance contract in place for all EFDC controlled CCTV sites.	Review existing maintenance provision. Introduce new maintenance contract Tender process set up for CCTV contractors identifying EFDC/Partnership needs and specifications of product 5 stage process: Working with Essex HUB 1. Prepare contract draft 2. Invite to tender 3. Tender received 4. Decision. 5. Contractors appointed	Essex Hub Safer Communities Team Finance Dept	EXISTING	October 09	Contractor appointed October 2009 One year extension on current maintenance contract commencing October 2010 Current CCTV contractors and suppliers to be enrolled into the HUB scheme - Completed
Partnership working	Communications though various mediums such as; The introduction of a CCTV quarterly operational status reports for the entire districts CCTV CCTV Presentation workshops with partners, Councillors and other agencies where appropriate	All partnerships where CCTV plays a factor Training groups and Facilitators	EXISTING	24 months or less	Focus group Regular partnership working. Staff Feedback CCTV Monthly status report set up and running Essex CCTV user Group set up and running since March 2009 CCTV Mobile Partnership Vehicle training July 2009 National CCTV user group membership joined February 2009 District Police to have EFDC CCTV presentations All completed

TASK	HOW	WHO	RESOURCES	WHEN	PROGRESS
Staff development	Continued development of key staff within the Safer Communities team and as appropriate with EFDC	Service Managers Trainee/s HR Dept	Additional funding required	24 months - ongoing	All CCTV officers fully competent in: 1. BTEC Foundations of CCTV 2. BTEC Gathering Video Evidence 3. Training on VuePrint system with Clear View Communications 4. RIPA update course 5. CCTV Legislation 6. CCTV System Planning All completed

PHASE 2 – CCTV Enhancement, development and integration.

TASK	HOW	WHO	RESOURCES	WHEN	PROGRESS
<p>Continuous improvement to CCTV infrastructure through development.</p>	<p>Regular reviews of existing product capability</p> <p>Upgrade and integrate systems across the district as applicable</p> <p>Introduce new systems as part of growth and to meet new objectives</p> <p>Identify shortfalls and weakness and where necessary make appropriate decisions for change</p>	<p>CCTV Contractors. Product suppliers. Project managers</p> <p>ICT department to support and engage with Safer Communities for the effective integration of new CCTV products and capability. Partnership agencies and stakeholders</p>	<p>EXISTING</p>	<p>36 months</p>	<p>1. Integration of Buckhurst Hill CCTV sites completed</p> <p>2. Enhancement of Upshire & Roundhills sites completed</p> <p>3. New CCTV schemes in Bobbingworth and Bakers Lane car park area completed</p> <p>4. Pyrles Lane upgrade and Norway House completed</p> <p>5. Remote access capability in Buckhurst Hill, Loughton High Road, Bobbingworth & Roundhills completed</p> <p>8 of 10 Careline sites completed</p> <p>Remainder to be added by October 2010</p>
<p>The introduction of 'Digital Only' CCTV systems across the district.</p>	<p>Identify older generation tape systems in use (Part of Phase 1 process)</p> <p>Replace all tape recording systems with digital systems.</p>	<p>ICT services Budget constraints Staffing resources Partners Suppliers and manufacturers</p>	<p>EXISTING</p>	<p>36 months</p>	<p>Replace SVHS system in SCP CCTV mobile unit completed</p> <p>Langston road depot digital switch - completed</p> <p>Integrate Careline sites across the district by October 2010</p> <p>North Weald Airfield replacement DVR to be completed by September 2010</p> <p>Debden CCTV Regeneration project by Spring 2011</p>

TASK	HOW	WHO	RESOURCES	WHEN	PROGRESS
Remote Access Capability.	<p>Carryout feasibility studies</p> <p>Investigate suitable products to meet need through expertise of supplier and ICT</p> <p>Implement trials & demonstration periods where possible</p>	<p>ICT services</p> <p>Contractors/suppliers</p> <p>Safer Communities dept</p> <p>Essex Police</p> <p>Budget constraints</p>	<p>Initial Set up costs £2070</p> <p>Ongoing costs £800.0 per site</p>	60 months	<p>Feasibility study completed</p> <p>ICT support ongoing</p> <p>Working group established</p> <p>Remote access solutions identified</p> <p>Stand Alone hardware and software purchased – completed</p> <p>Remote access capability to at least 3 sites not including existing Limes Farm estate - Buckhurst Hill, Loughton High Road, Bobbingworth & Roundhills completed</p> <p>Record results through audit trails</p>

APPENDIX TWO

ACPO – Association of Chief Police Officers

BS-EN 70132/7 - One of the standards relating to general use and installation of CCTV

CJS – Criminal Justice System

CoP – Code of Practice

Criminal Justice Service - Created to deliver some of the 44 CCTV recommendation set out within the National CCTV Strategy Programme Board.

CRT - cathode-ray tube: a vacuum tube in which a hot cathode emits a beam of electrons that pass through a high voltage anode

DVD – Digital Versatile Disc

DVR – Digital Video Recorder

HOSDB – Home Office Scientific Development Branch

ICO – Information Commissioners Office

ICT – Information Communications Technology

Legacy Systems – Systems that started out effective but through changes in technology and software become high risk, unsuitable or non effective over a period of time.

LUX – Density of light measured in lumens/sq.meter

National CCTV Body - Created to deliver some of the 44 CCTV recommendation set out within the National CCTV Strategy Program Board.

NPIA – National Policing Improvement Agency

NVR – Network Video Recorder

OR – Operation Requirement

Outward Facing Camera – a camera that faces onto a public place.

Partnership Working - Created to deliver some of the 44 CCTV recommendation set out within the National CCTV Strategy Programme Board.

Police Use of CCTV - Created to deliver some of the 44 CCTV recommendation set out within the National CCTV Strategy Programme Board.

PSS – Public Space System

PTZ – Pan Tilt Zoom

Rotakin – Device used to measure resolution and television lines camera latency and efficiency

Standards & Operability – Created to deliver some of the 44 CCTV recommendation set out within the National CCTV Strategy Program Board.

SVHS – Super Video Home Service

TFT - A thin film transistor liquid crystal display (TFT-LCD) is a variant of liquid crystal display (LCD) which uses thin film transistor

TVLs – Television Lines

VMD – Video Motion Detection

APPENDIX THREE

Information Commissioners Office (ICO)

<http://www.ico.gov.uk/>

Ministry of Justice (MoJ)

<http://www.justice.gov.uk/>

British Security Industry Association (BSIA)

<http://www.bsia.co.uk/>

National Policing Improvement Agency (NPIA)

<http://www.npia.police.uk/>

Home Office Scientific development Branch (HOSDB)

<http://scienceandresearch.homeoffice.gov.uk/hosdb/>

Association of Chief Police Officers (ACPO)

<http://www.acpo.police.uk/default.asp>

Crown Prosecution Service (CPS)

<http://www.cps.gov.uk/>

British Transport Police (BTP)

<http://www.btp.police.uk/>

Security Industry Authority (SIA)

<http://www.the-sia.org.uk/home>

Local Government Association (LGA)

<http://www.lga.gov.uk/lga/core/page.do?pageld=1>

Department for Transport (DfT)

<http://www.dft.gov.uk/>

Her Majesties Courts Service (HMCS)

<http://www.hmcourts-service.gov.uk/>

Office of Surveillance Commissioner (OSC)

<http://www.surveillancecommissioners.gov.uk/index.html>

APPENDIX FOUR

DIRECTORATE SUGGESTED LOCAL PERFORMANCE INDICATORS

Environment & Street Scene							
RESPONSIBILITY	CURRENT LPI REFERENCE	SUMMARY DEFINITION OF SUGGESTED LPI	RETAIN AS LPI	Quarter 3	2008/09	2009/10 Proposed	JUSTIFICATION OF RESPONSIBLE DIRECTOR FOR RECOMMENDATION OF LPI
John Gilbert	KPI LPI 03	People feeling safe outside after dark (LAA Indicator)	NO	Place Survey	53.90%		This is not an indicator which is collated on a local basis. It forms part of a wider LAA target collected through the annual place survey
John Gilbert	NEW	Response time to requests from the Police for the download of CCTV imagery from EFDC managed cameras for use as evidence	NEW	NEW	NEW	To be determined	The use of CCTV can be of critical importance in investigating crime. It is vital that requests for downloads are dealt with promptly and that the downloads are properly managed so as to be valid for evidential purposes

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APPENDIX FIVE

**CCTV cameras are in
operation 24 hours a day**



**Images are being recorded for the purpose of
public safety, crime prevention and detection.**

Evidence gathered will be used to prosecute offenders



**This scheme is controlled by
Epping Forest District Council
Tel: 01992 564608**

Risk Assessment Matrix (RAM)

APPENDIX SIX

Impact on Community	4				
	3				
	2				
	1				
	0				
		1	2	3	4
		Likelihood of Incidents			

- High Priority**
- Medium priority subject to funding**
- Low Priority / Does not fit CCTV criteria**

Likelihood Of Incidents	Impact On Community
<p>1 – Highly unlikely Event is/would be exceptional/rare</p>	<p>1 – Minor/Insignificant Consequence negligible. Associated costs/losses are relatively small. Negligible effect on service provision. No embarrassment likely to occur for organisation. External partner does not have funds for ongoing CCTV costs</p>
<p>2 – Possible but unlikely Event not expected to occur, but small chance of occurrence</p>	<p>2 – Moderate Consequence modest. Material financial consequence but scope to absorb within budget. Noticeable effect on service provision. Failure to meet locally determined standards of service. External partner has a small/limited amount of funds for ongoing CCTV costs</p>
<p>3 – Possible and probable Event likely to occur</p>	<p>3 – Major/Grave Consequence severe. Significant financial consequence which cannot be absorbed within budget. Serious impact on quality/quantity of service provision. Failure to meet regulatory standards. Likely to be national/local press interest. External partner has sufficient funds for ongoing CCTV costs</p>
<p>4 – Virtually certain Event very likely to occur</p>	<p>4 – Catastrophe Consequence extreme. Continuity of element of service compromised. Dire financial impact, such that need fundamental rethink of how and/or whether to provide service. Failure to provide statutory services/meet legal obligations. Likely to be significant national/local press interested</p>

Financial Breakdown

					Remote Access Operating Costs			
Financial year	Location and details	Directorate	Estimated replacement cost (capital)	Maintenance costs (revenue)	Set-up	Ongoing Annual		
2010/11	Debden Broadway (A)				£250.00	£728.00		
	Debden Broadway (B)		£100,000 Maximum	£3,000.00				
	Burton Road, Debden				£250.00	£728.00		
	Vere Road, Debden							
	Pyrles Lane, Debden	E & S S			£8,800.00	£1,000.00	£250.00	£728.00
	Civic Offices	CSS				£2,000.00	N/A	N/A
	Limes Farm shopping parade, Chigwell	E & S S			£4,300.00	£500.00	£250.00	£728.00
	Borders Lane shopping parade, Loughton	E & S S			£5,800.00	£1,000.00	£250.00	£728.00
	Clifton Road - Loughton	E & S S Land Drainage			£1,500.00	£500.00	access already available	£728.00
	Loughton Way shops	E & S S			£8,400.00	£429.80	£250.00	£728.00
	2011/12	Longcroft Rise, Loughton			E & S S	£3,700.00	£500.00	£250.00
	Roundhills shopping parade, Waltham Abbey	E & S S	£4,800.00	£1,000.00	access already available	£728.00		
	Upshire shopping parade, Waltham Abbey	E & S S	£2,500.00	£500.00	£250.00	£728.00		
	Langston Road Depot, Loughton	E & S S	£3,000.00	£500.00	£250.00	£728.00		
2012/13	Parklands shopping parade, Coopersale, Epping	E & S S	£3,300.00	£500.00	£250.00	£728.00		
2013/14	Cottis Lane car park	E & S S	£3,500.00	£500.00	£250.00	£728.00		
	North Weald Airfield	E & S S	£5,100.00	£500.00	£250.00	£728.00		
	High Road, Loughton	E & S S	£11,500.00	£1,000.00	access already available	£728.00		
2014/15	Limes Farm, "yellow block", Chigwell	Housing	£10,500.00	£2,000.00	access already available	£728.00		
2015/16	Lower Queens Road car park	E & S S	£7,100.00	£1,000.00	access already available	£728.00		
	Queens Road, Buckhurst Hill	E & S S	£16,400.00	£1,000.00	access already available	£728.00		
	Bobbingworth	E & S S Land Drainage	£11,000.00	£500.00	access already available	£728.00		
	Norway House	Housing	£10,000.00	£1,000.00	£250.00	£728.00		
	Bakers Lane Car Park	E & S S	£10,000.00	£500.00	£250.00	£728.00		
Total			£168,800.00	£20,929.80	£4,000.00	£16,744.00		
	* At expected time of replacement							

Careline Sites - Directorate Housing

	Location of Cameras	No of cams	Remote Access - Yes/No	Maintenance Contract - If yes, when it runs to etc*
1	Buckhurst Court, Albert Road, Buckhurst Hill	1	No	Yes - Running until July 2010.
2	Chapel Road, Epping	1	No	Yes - Running until July 2010.
3	Frank Bretton House, Basons Way, Ongar	1	No	Yes - Running until July 2010.
4	Hyde Mead House, Nazeing	3	No	Yes - Running until July 2010.
5	Jessop Court, Waltham Abbey	1	No	Yes - Running until July 2010.
6	Jubilee Court, Waltham Abbey	2	No	Yes - Running until July 2010.
7	Leonard Davis Court, North Weald	2	No	Yes - Running until July 2010.
8	Parsonage Court, Loughton	1	No	Yes - Running until July 2010.
9	Pelly Court, Epping	13	No	Yes - Running until July 2010.
10	Hedgers Close	5	No	Yes - Running until July 2010.

*With effect from October 2010 Careline sites Maintenance will form part of the Corporate CCTV Maintenance Contract Housing Directorate to be recharged

Re-Deployable Cameras	
4 Cameras	6 X Sim Cards £302.00 each
1 Camera	No oncosts
Total £1812.00	

Replacement CCTV Signage	£100.00 average per site
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EPPING FOREST DISTRICT COUNCIL

Closed Circuit Television Code of Practice



**For the operation of public space CCTV systems in the
Epping Forest District, including re-deployable systems**

**Epping Forest District Council is a
Member of the National CCTV User Group.**

August 2009

Code of Practice

1. INTRODUCTION

This Code of Practice is to control the management, operation and use of all Closed Circuit Television (CCTV) systems under the control of Epping Forest District Council, and is used in conjunction with the Information Commissioner's Office CCTV Code of Practice revised edition of 2008.

Epping Forest District Council own and are responsible for a large number of public space CCTV Systems, which operate independently throughout the district.

The Council will retain ownership of all recorded material in various formats, including Videotape (SVHS), Compact Disc (CD), Digital Versatile Disc (DVD) and hard copy print, and retains absolute copyright of any recorded material. For the purpose of this document, any recorded material will be referred to as 'video imagery'. The Council will not release video imagery for commercial purposes or for the provision of entertainment. Video imagery will only be released for the purposes of evidence and training purposes.

The day-to-day operation of the Council's systems will be the responsibility of the Safer Communities Unit within the Environmental and Street Scene Directorate. The systems operate 24 hours a day, 365 days a year, except for cases of maintenance/upgrades etc, where it is necessary for a particular system to be powered down for a period of time.

The Safer Communities Unit will supervise the code and ensure its implementation.

It is a condition of acceptance as a partner that users of CCTV demonstrate commitment to operate in accordance with this code by signing the required Certificate of Agreement in this document. Each participant in the scheme is bound by this Code of Practice and any subsequent amendments thereto.

2. TERMS AND DEFINITIONS

For the purposes of British Standard 7958:2005 the terms and definitions given in BS 8418, BS-EN 50132/7, BS-EN 50132-5 and BS 8495:2007 apply, together with the following.

CCTV Scheme

Totality of arrangements for CCTV in a locality including, but not limited to, the technological system, staff and operational procedures.

Observation Mode

Mode of operation of a CCTV system, whereby monitoring is carried out live, the sole purpose of which is to observe the images in real time and not to record, store, or print the information viewed.

Retrieval System

A CCTV system having the capability, in any medium, of effectively capturing data that can later be retrieved, viewed or processed.

CCTV System

Surveillance items comprising of cameras and all associated equipment for monitoring, transmission and controlling purposes, for use in a defined area.

Distributed System

Sub system, any part of which may be linked temporarily or permanently for remote monitoring within the CCTV system.

Data

All information collected by the CCTV systems, including personal data.

Incident

An activity that has been identified as an offence that has been committed or an occurrence that has taken place that warrants further specific action from either the Police or from the Council. For the purposes of this scheme, an incident is defined as:

Any event or occurrence monitored by a controller in respect of which information needs to be passed to another source to generate a response.

OR

A request by an authorised person or body, to monitor specific events or activity, in accordance with the purposes and key objectives of the scheme.

The provisions of the Regulation of Investigatory Powers Act (RIPA) 2000 may be relevant to such requests.

Owner

Legal person or entity, agency or individual designated and trained as having direct responsibility for the implementation of the policies, purposes and methods of control of a CCTV scheme, as defined by the owner of the scheme.

Manager

The CCTV Operations Officer has direct responsibility for the implementation of the policies, purposes and methods of control of a CCTV scheme, as defined by the owner of the scheme.

Supervisor

Person specifically designated, trained and authorised by the owner of a scheme to ensure that at all times the system is operated in accordance with the Code of Practice and any procedural instruction issued by the owner or manager.

Operator

Person specifically designated and authorised by the owner of a CCTV scheme to carry out physical operation of controlling that system.

Recording Material (e.g. CD/DVD)

Any medium that has the capacity to store data, and from which data can later be recalled, irrespective of time.

Recorded Material

Any data that has been recorded on any medium that has the capacity to store data, and from which data can later be recalled, irrespective of time.

Hard Copy Print

Paper copy of a still image or images, which already exist on recorded material.

Privacy Masking

The common term covering the need to restrict what can be seen by means of CCTV. It applies equally to images displayed in real time for surveillance purposes and images recorded for later use.

Directed Covert Surveillance

This is defined under section 26 of the Regulation of Investigatory Powers Act (RIPA) 2000. It relates to covert surveillance for specific purposes where the gathering of private information is a likely outcome.

3. BACKGROUND

Epping Forest District Council has, and is continuing to install CCTV systems, some of which are capable of expansion. Cameras have been installed within specific target areas, which have been identified through the gathering of information, including the use of Crime Pattern Analysis and the Council's CCTV Decision Matrix tool.

Community Safety is defined as any intervention that deals with anti-social behaviour and fear of crime, which may affect the quality of life of individuals and the local community. The Crime and Disorder Act 1998 defines anti-social behaviour as behaviour which causes, or is likely to cause alarm, harassment or distress to one or more persons not of the same household.

4. AIMS OF EPPING FOREST DISTRICT COUNCIL'S CCTV

- Help secure safer areas and environments for those who visit, work in, trade in or enjoy leisure pursuits within the district.
- The Council's CCTV schemes will be operated fairly and lawfully and will only be used for the purposes for which they were established, or subsequently agreed in accordance with this code.
- The Council will regularly monitor, review and enhance its CCTV schemes in order to ensure and improve their effectiveness.

5. PURPOSES OF EPPING FOREST DISTRICT COUNCIL'S CCTV

Epping Forest District Council's CCTV schemes exist in order for us to record, view, and occasionally monitor activity within the intended area of coverage. Safeguards are used within the systems' capabilities to ensure cameras cannot be focused within private areas, such as windows, where there is no public access. Where it is unavoidable to have a camera focused on a home or other private area as part of a larger point of focus, privacy masking will be used to cover the private area from view.

6. COUNCIL CCTV OBJECTIVES

- The introduction of a central hub for all EFDC CCTV matters. (Based within the E&SS Directorate).
- Manage our CCTV responsibly by providing a compliant delivery of service through the implementation of robust CCTV processes and guidelines.
- Provide high quality evidence which may be used to further an investigation by the Council or other law enforcement agencies to prosecute offenders.
- Assist in the reduction and prevention of crime and increase public confidence.
- All schemes to be made 'fit for purpose' through preventative and reactive maintenance plans and regular operational requirement reviews.
- Effectively manage the public perception of CCTV including 'unrealistic expectations'.
- Monitor environmental conditions

Every effort is made in the planning and design of the Council's CCTV systems to provide maximum effectiveness within the current area of coverage, or such additional areas, which may subsequently form part of the system. It is not possible to guarantee the system will be able to see or provide evidence for every incident that may occur within the target area.

7. REVISION AND ALTERATIONS TO THE CODE OF PRACTICE

This Code of Practice will be regularly reviewed, and any required revisions and alterations will then be made.

8. PLANNING OF CCTV SYSTEMS

In planning the installation of CCTV systems, Epping Forest District Council refers to the Home Office Scientific Development Branch's latest Operational Requirements Manual as a guide to ensuring compliant and effective installations.

Locations of cameras (See appendix 1)

All locations where cameras are to be installed will be assessed using various relevant statistics and analysis gathered from various sources, including the Police, local communities and local businesses to ensure maximum effectiveness and productivity.

Signage (See appendix 2)

Corporate signs will be installed in and around the areas covered by the Council's CCTV systems. The placing of such signs is an important aspect of the principles of the Data Protection Act 1998. They will be of an appropriate size to the location and will contain the following information:

- a) The purpose of the scheme
- b) What the Council intends to do with the information gathered i.e. prosecute offenders
- c) Who owns the scheme
- d) Contact details
- e) Carry relevant Council logo/s and CCTV symbol

The signs will read:

*“CCTV cameras are in operation 24 hours a day.
Images are being recorded for the purpose of public safety, crime prevention and detection.
Evidence gathered may be used to prosecute offenders.
This scheme is controlled by Epping Forest District Council
Tel: 01992 564608”*

9. Dummy Cameras

In the past, Epping Forest District Council has used dummy cameras in some locations within the district. However, studies have shown that public confidence in CCTV is based upon effectively operating cameras, and therefore dummy cameras will no longer be used within any CCTV schemes operated by the Council.

10. Ownership/Copyright Issues

Epping Forest District Council's CCTV schemes are registered under the Data Protection Act 1998. The registration number is **Z5033101**. The Data Controller is Epping Forest District Council. All data will be processed in accordance with the stated purposes and in line with the agreement between the Data Controller and Essex Police, ensuring compliance with the Act.

CCTV - Primary request to view data

Primary requests to view data generated by a CCTV system are likely to be made by third parties for any one or more of the following purposes:

- Providing evidence in criminal proceedings
- Providing evidence in civil proceedings or tribunals
- The prevention of crime
- The investigation and detection of crime (may include identification of offenders)
- Identification of witnesses

Third parties, who are required to show adequate grounds for disclosure of data within the above criteria, may include, but are not limited to:

- Police.
- Statutory authorities with powers to prosecute, (eg. Customs and Excise; Trading Standards, etc).
- Solicitors.
- Claimants in civil proceedings.
- Accused persons or defendants in criminal proceedings.
- Other agencies, (as agreed by the Data Controller and notified to the Information Commissioner) according to purpose and legal status.

Upon receipt from a third party of a bona fide request for the release of data, the data controller shall:

- Not unduly obstruct a third party investigation to verify the existence of relevant data.
- Ensure the retention of data which may be relevant to a request, but which may be pending application for, or the issue of, a court order or subpoena. A time limit shall be imposed on such retention, which will be notified at the time of the request.

Where requests fall outside the terms of disclosure and Subject Access legislation, the data controller, or nominated representative, shall:

- Be satisfied that there is no connection with any existing data held by the police in connection with the same investigation.
- Treat all such enquiries with strict confidentiality

CCTV - Secondary request to view data

This could be for example where a member of the public requests CCTV images of their vehicle in a car park where there has been an incident of criminal damage.

Before complying with a secondary request, the data controller shall ensure that:

- The request does not contravene, and that compliance with the request would not breach, current relevant legislation, (eg. Data Protection Act 1998, Human Rights Act 1998, section 163 Criminal Justice and Public Order Act 1994, etc);
- Any legislative requirements have been complied with, (e.g. the requirements of the Data Protection Act 1998);
- Due regard has been taken of any known case law (current or past) which may be relevant, (eg. R v Brentwood BC ex p. Peck);
- The request would pass a test of 'disclosure in the public interest'.

If, in compliance with a secondary request to view data, a decision is taken to release material to a third party, the following safeguards shall be put in place before surrendering the material:

- In respect of material to be released under the auspices of 'crime prevention', written agreement to the release of the material should be obtained from a police officer, not below the rank of Inspector. The officer should have personal knowledge of the circumstances of the crime/s to be prevented and an understanding of the CCTV System Code of Practice.
- If the material is to be released under the auspices of 'public well being, health or safety', written agreement to the release of material should be obtained from a senior officer within the Local Authority. The officer should have personal knowledge of the potential benefit to be derived from releasing the material and an understanding of the CCTV System Code of Practice.

Recorded material may be used for bona fide training purposes such as police or staff training. **Under no circumstances** will recorded material be released for commercial sale of material for training or entertainment purposes.

CCTV - Individual Subject Access under Data Protection Legislation

Under the terms of Data Protection legislation, individual access to personal data, of which that individual is the data subject, must be permitted providing:

- The request is made in writing;
- A specified fee is paid for each individual search;
- The data controller is supplied with sufficient information to satisfy him or her self as to the identity of the person making the request;
- The person making the request provides sufficient and accurate information about the time, date and place to enable the data controller to locate the information which that person seeks, (it is recognised that a person making a request is unlikely to know the precise time. Under

those circumstances it is suggested that within one hour of accuracy would be a reasonable requirement);

- The person making the request is only shown information relevant to that particular search and which contains personal data of her or himself only, unless all other individuals who may be identified from the same information have consented to the disclosure.

In the event of the data controller complying with a request to supply a copy of the data to the subject, only data pertaining to the individual should be copied, (all other personal data which may facilitate the identification of any other person should be concealed or erased).

The data controller is entitled to refuse an individual request to view data under these provisions if insufficient or inaccurate information is provided, however every effort should be made to comply with subject access procedures and each request should be treated on its own merit.

In addition to the principles contained within the Data Protection legislation, the data controller should be satisfied that the data is:

- Not currently and, as far as can be reasonably ascertained, not likely to become, part of a 'live' criminal investigation;
- Not currently and, as far as can be reasonably ascertained, not likely to become, relevant to civil proceedings;
- Not the subject of a complaint or dispute which has not been actioned;
- The original data and that the audit trail has been maintained;
- Not removed or copied without proper authority;
- For individual disclosure only (i.e. to be disclosed to a named subject).

CCTV - Procedure for the release of evidence

The Council is committed to the belief that everyone has the right to respect for his or her private and family life. Although the use of CCTV cameras has become widely accepted in the UK as an effective security tool, those people who do express concern tend to do so over the handling of the information (data) which the system gathers.

After considerable research and consultation, a nationally recommended standard has been adopted by the Council.

All requests for the release of data shall be channelled through the data controller or his nominated representative.

CCTV - Process of disclosure

Replay the data to the requestee only, (or responsible person acting on behalf of the person making the request).

The viewing should take place in a separate viewing booth/room and not in the control or monitoring area. Only data that is specific to the search request shall be shown.

It must not be possible to identify any other individual from the information being shown, (any such information will be blanked-out, either by means of electronic screening or manual editing on the monitor screen).

If a copy of the material is requested and there is no on-site means of editing out other personal data, then the material shall be sent to an editing house for processing prior to being sent to the requestee.

For complaints about the use of the Council's CCTV scheme, refer to section 1.

11. CAPTURE, PROTECTION AND STORAGE OF DATA

(In accordance with the Home Office Scientific Development Branch Digital Image Procedures Publication number 58/07)

Because of differences in some of our CCTV systems, image retention periods on systems differ. All new systems and upgraded systems (2009 onwards) will retain images for 31 days as a maximum period available for download.

Whichever still or video camera or format of medium is chosen for the capture and initial storage of images, effective means are made available for transferring the images to the computer system where they are able to be used and possibly archived.

Images on reusable media should be copied from the original storage medium in the original file format onto a secure media. This secure media could be Write Once Read Many (WORM) or secure network storage. The term 'secure server' should be taken to mean an environment, including a security management system, which is accredited to a level of at least 'RESTRICTED' under the Government Protective Marking Scheme (GPMS), in accordance with the ACPO Community Documentation Set (ADS) and as approved by either the Local Force Information Security Officer and/or the National Accreditor for Police Information Systems. Once the images and associated data have been copied onto the secure media, they cannot be overwritten or altered.

The generation of the secure copy will be carried out as soon as possible after the capture to reduce the time and opportunity for the accidental or malicious alteration to images.

All imagery master or working copies will be appropriately identified in order to facilitate the storage, retrieval and eventual disposal of case material.

Any downloaded data exhibited in Court as evidence must be the Master Copy. There must be no editing or recording from other sources on to the master copy. However, while the master copy is in Police possession, the Police may take one working copy of the disc and a second copy of the disc to be used as disclosure material to the defence. Written statements will be required from the Police Officers as supporting evidence on copying and other handling of the transferred images onto the disc.

The software required for viewing proprietary formats will be made available to avoid images being inaccessible. Replay software will be provided with each recording to assist with the correct viewing of the files in their native format.

Working copies can be in many forms. The files will be copied onto any suitable medium or distributed electronically, using a secure system only, for circulation to the Investigating Officer or Crown Prosecution Service.

Those that are retained for evidential purposes must be retained in a secure place, to which access is controlled, such as a secure safe.

12. CATALOGUING OF DOWNLOADED DISCS

Data downloaded to any storage medium will be given a unique reference number and recorded in the CCTV data request register.

The data will then be stored securely at the Civic Offices in Epping until collected by the Investigating Officer or representative.

13. ERASURE OF RECORDED IMAGES

Any recording made on the Council's CCTV systems will be automatically overwritten by the recorder after a set period of time. This will be any time period between 8 and 31 days, depending on the individual system itself.

14. STORAGE/DESTRUCTION OF TRANSFERRED IMAGES

Transferred images will be stored securely to ensure that there is no unauthorised access or possibility of accidental or intentional damage. The storage space should be kept dust and moisture free and kept at a constant temperature, and always kept locked when not in use. Only authorised key holders will have access to the secure area. Images removed from the systems actual storage drive which is then deemed to be of no further use or the requestee has not collected the images will after advisement safeguards be destroyed after one further month and recorded in the CCTV destruction log.

15. USE OF AUDIO

None of Epping Forest District Council's CCTV systems are configured to record any audio activity in conjunction with the video recording.

16. POLICE USE OF RECORDED IMAGES (Including Point of Transfer)

When the Police have reasonable cause to believe that an incident has been recorded which involves, or may involve, criminal activity, a duly authorised Police Officer will be handed the downloaded data against signature and in accordance with the strict procedures in place.

A 'point of transfer' will be established in which the responsibility of data transfer handling to the Police. That point of transfer will depend on the nature of the images being transferred, the recording format and equipment used by Epping Forest District Council. At whatever stage this point of transfer occurs, the Police audit trail must start from that point. Continuity of data handling will be demonstrated throughout, ensuring that the Police audit trail links directly to the Council's audit trail.

The Police have speciality facilities for copying data.

Recorded images owned and managed outside Local Authority Control may require to be processed by copying or the production of still images.

The Information Commissioner has approved a process whereby Local Authorities may process data on behalf of a third party Data Controller for policing purposes.

The process will ensure that the third party Data Controller, the Data Processer (Local Authority) and the Police will be seen to have made every effort to comply with the seventh principle of data protection law.

At the conclusion of use of any Master or Copy recorded by Essex Police, it may be returned to the Council, unless the Court directs that it should be destroyed instead of being handed back to the owners. In the latter case, a certificate of instruction will be provided by the Police to finalise the audit trail relating to those data images.

17. PROVISION OF RECORDED STILLS

The photographic process should only be used to assist in the identification of incidents or in training or for demonstration purposes. Still photographs will not be taken as a matter of routine.

A Police Officer may request the owners to produce still frame images from recordings, also known as snapshots. All such stills will be given a unique reference number and be recorded in the CCTV data request register. A file copy may also be retained in the Civic Offices. All still photographs will remain the property of its owners.

Any still image provided by the Council to the Police will be kept secure and its handling logged in exactly the same way as recorded images. Any stills handed to the Police should be treated on the basis that they are required in Court. The still image is therefore to be placed in a sealed envelope with an exhibit label attached and a Witness Statement provided.

18. EPPING FOREST DISTRICT COUNCIL VIEWING OF RECORDED IMAGES

A Council staff member may request to view the recording of a specified incident which does not involve, or appear to involve criminal activity but which may involve the management services for which the officer is responsible (i.e. Housing, Parking) if the officer has been made aware of an incident through other means and has reason to believe the CCTV may assist them.

- Any private viewings must be first approved by the Data Protection Officer.
- A log will be kept of any such viewings.
- No other viewings by an unauthorised person will be permitted.

19. EVALUATION, MONITORING AND AUDIT OF SCHEME

The scheme owners should arrange for independent evaluation to establish whether the purposes as stated are receiving compliance and whether the objectives are being achieved.

The process should include:

- a) Assessment of the impact on crime the system has had
- b) Assessment and comparison of neighbouring areas without CCTV
- c) Views of the public
- d) Operation of the Code of Practice
- e) Whether the purposes and key objectives of the system remain valid
- f) Complaints received relating to the use of the scheme
- g) Data Protection and legal requirements
- h) Maintenance schedule and performance test of the systems

Evaluation should be provided for in annual budgetary considerations.

An Annual Report may be compiled and made available for public information by the Council, or their advisers. The topics covered within the report should include details of the following:

- a) A description of the scheme and the geographical areas of operation
- b) The scheme's policy statement

- c) The purpose and scope of the scheme
- d) Any changes to the operation or management of the CCTV scheme
- e) Any changes that have been made to the policy
- f) Any proposals to expand or reduce the operation of the scheme
- g) The aims and objectives for the next 12 months

Any Annual Report will also provide details of the schemes' achievements during the previous 12 months, which may be based on information already held by the scheme. The assessment of the schemes' performance should include:

- a) The number of incidents recorded by the scheme
- b) The number of incidents reported to the Police and, where appropriate, other bodies, e.g. the local authority
- c) An assessment of the CCTV scheme's impact on crime levels and types of crime in the area covered by the scheme.

APPENDIX 1

EPPING FOREST DISTRICT COUNCIL CCTV SCHEMES

The Council's current CCTV schemes are listed below:

- Bakers Lane Car Park, Epping – 10 cameras
- Moreton Road Former Landfill Site, Bobbingworth – 13 cameras
- Borders Lane Shopping Parade, Loughton – 9 Cameras
- Buckhurst Court, Albert Road, Buckhurst Hill – 1 Camera
- Burton Road, Loughton – 4 Cameras
- Chapel Road, Epping – 1 Camera
- Civic Offices, Epping – 16 Cameras
- Clifton Road, Loughton – 1 Camera
- Cottis Lane Car Park, Epping – 4 Cameras
- Debden Broadway, Loughton – 21 Cameras
- Frank Bretton House, Basons Way, Ongar – 1 Camera
- Hedgers Close, Loughton – 5 Cameras
- High Road, Loughton – 6 Cameras
- Hyde Mead House, Nazeing – 3 Cameras
- Jessop Court, Waltham Abbey – 1 Camera
- Jubilee Court, Waltham Abbey – 2 Cameras
- Langston Road Depot, Loughton – 5 Cameras
- Leonard Davis Court, North Weald - 2 Cameras
- Limes Farm Shopping Parade, Chigwell – 6 Cameras
- Limes Farm Yellow Block, Chigwell – 16 Cameras
- Longcroft Rise, Oakwood Hill Estate, Loughton – 9 Cameras
- Loughton Way Shopping Parade, Buckhurst Hill – 10 Cameras
- Queens Road (Lower) Car Park, Buckhurst Hill – 15 Cameras
- North Weald Airfield, North Weald – 4 Cameras
- Norway House, North Weald – 27 Cameras
- Parklands Shopping Parade, Coopersale, Epping – 6 Cameras
- Parsonage Court, Loughton – 1 Camera
- Pelly Court, Epping – 13 Cameras
- Pyrles Lane Parade, Loughton – 10 Cameras
- Queens Road, Buckhurst Hill – 8 Cameras
- Roundhills Shopping Parade, Waltham Abbey – 9 Cameras
- Upshire Shopping Parade, Waltham Abbey – 5 Cameras
- Vere Road, Loughton – 5 Cameras

APPENDIX 2

EPPING FOREST DISTRICT COUNCIL CCTV SIGN

**CCTV cameras are in
operation 24 hours a day**



**Images are being recorded for the purpose of
public safety, crime prevention and detection.**

Evidence gathered may be used to prosecute offenders



**This scheme is controlled by
Epping Forest District Council
Tel: 01992 564608**

Report to the Cabinet

Report reference: C-027-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Safer and Greener
Subject: Proposed Countrycare Re-structure
Responsible Officer: Kassandra Polyzoides (01992 564119).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To agree the proposed re-structure for Countrycare by deleting one Assistant Countryside Manager post and creating an additional Countryside Assistant post, thereby fortifying the project implementation tier of the team and allowing for the further extension of the volunteer programme; and**
- (2) To note Countrycare's intention to extend its volunteering and public engagement programme.**

Executive Summary:

The current grading of the Countryside Manager is lower than that of other team leaders across the Council and it has for some time been thought that a formal review of the role's job description and grade is appropriate. There is an opportunity to review Countrycare's structure given the current vacancies, the coalition Government's localism agenda and in view of the need to improve work efficiency and consider changing service delivery requirements.

Reasons for Proposed Decision:

To ensure that the Council and District continue to benefit from a well structured Countryside Management team, which delivers high quality countryside management projects and public information and advice services.

Other Options for Action:

Retain existing Countrycare structure

Report:

1. Countrycare is Epping Forest District Council's Countryside Management Service. Based within the Policy and Environment section of the Directorate of Planning and Economic Development, Countrycare is the key resource for advice, information and practical assistance on countryside and nature conservation issues. Countrycare has just entered its 25th year and since its establishment in 1986, it has developed a credible and proven track record for delivering quality projects and attracting external grant funding. This has developed strong community support and trust, which staff have been able to harness to good effect.

The obvious public enthusiasm and desire of people to make a difference is reflected in the services ability to recruit and keep a wide volunteer base and gain public support for community based project works.

2. Operating across the entire Epping Forest District, Countrycare undertakes a wide variety of community-based activities and coordinates a regular programme of practical conservation work. The ability of the service to engage and involve the local community in “hands on” practical conservation work remains its key strength. As one of the Council’s primary “enablers” Countrycare involves people of all ages and abilities in every aspect of its work.

3. Countrycare is also the Council’s key resource for advice on biodiversity, nature conservation law, protected species, green infrastructure and legislation such as the Hedgerow Regulations.

4. Countrycare undertakes a statutory role within the Planning process by giving advice to Development Control Officers on biodiversity implications of planning applications. Countrycare also provides staff time and volunteer assistance to other Directorates offering cost effective management of the District’s nine Local Nature Reserves (LNR) including coordination of the Roding Valley Meadows LNR.

5. The Local Area Agreement (LAA2) agreement requires that the Council pursues Positive Countryside Management (PCM) for all its Local Wildlife Sites (LoWS). Via the LAA2 the Council has the statutory obligation to report and deliver progress on National Indicator NI 197 ‘Improved local biodiversity-proportion of local sites where positive conservation management has been or is being implemented’.

6. The Local Area Agreement Biodiversity Indicator (LAABI) Group has the aim of getting 34% of the LoWS within the Essex area into PCM by March 2011. We currently have 222 LoWS in the District. The Council via the efforts of Countrycare and the Essex Wildlife Trust is well on course in achieving the 34% target. Specifically we have achieved 66 PCM sites across the District out of 74, which is our target.

The Key Objectives of the Service

7. The key objectives of the Service are currently as follows:

(a) to conserve and promote the biodiversity of the district and implement the goals of the Epping Forest Biodiversity Action Plan;

(b) to provide a quality in house Ecology Unit offering specialist statutory planning application advice and promoting a greater understanding and respect for the countryside for the residents of the District;

(c) to promote public access to the countryside and provide for informal recreation; and

(d) to involve local communities in all aspects of the Service’s work and extend an already popular volunteering programme.

Existing Countrycare Structure

8. The current structure of Countrycare is as follows:

(a) Countryside Manager £44,460 - **Vacant as of August 2010;**

- (b) Assistant Countryside Manager £36,720 - **Vacant as of June 2010**;
- (c) Assistant Countryside Manager £36,720 - **Vacant as of Sep 2010**;
- (d) Countryside Assistant £21,750;
- (e) Assistant Countryside Manager (trainee) £28,930 – Corporately funded to November 2011; and
- (f) two Future Jobs Fund employees until November 2010.

Review of Countryside Manager Job Description and Grading

9. The Countryside Manager post is currently vacant (August 2010). Prior to pursuing a process to re-fill the post, it has been acknowledged that the job description and grading require a review, in order to ensure that candidates of the highest calibre are engaged. The previous post holder was found to be working outside of the outdated job description partly as the role under his guidance grew in merit and scope. As a result it was concluded that the review panel would conduct a job evaluation to look at the job description and post grade.

Recommended Countrycare re-structure

10. It is recommended that one Assistant Countryside Manager post is deleted and an additional Countryside Assistant post created in its stead. This would give the following revised structure:

- (a) Countryside Manager £44,460;
- (b) Assistant Countryside Manager £36,720;
- (c) Countryside Assistant £21,750;
- (d) Countryside Assistant £21,750;
- (e) Assistant Countryside Manager (trainee) £28,930 - Corporately funded to November 2011; and
- (f) two Future Jobs Fund employees until November 2010.

Current salary budget	£139,650
Proposed re-structure	£124,680

11. The proposed re-structure would result in a Continuing Services Budget (CSB) saving of £14,970 per annum. The total per annum running costs for the service are being reviewed in order to ensure operational cost savings over the medium and long term. Initial examination into the option of combining Countrycare and Grounds Maintenance has shown this to not currently be an effective set-up for service delivery, but can be re-examined in the near future.

Countrycare as a Volunteer Service

12. There have been discussions regarding operating Countrycare as a volunteer service. Given how other similar organisations work it is felt that at this stage this would not be feasible for the following reasons:

(a) The work the team does is specialist, in ecology, conservation management and planning. Apart from contributing time, volunteers would need to have very specific skill sets to deliver the high quality of service currently provided. In addition an extensive and costly programme of health and safety procedures would have to be in place to include adequate task and site risk assessments, upkeep and maintenance of PPE (Personal Protective Equipment), tools and records and checking of suitable qualifications are held by volunteers i.e. first aid certification and chainsaw qualifications.

(b) The service would require in excess of 140 hours of volunteer time throughout the week to deliver a consistent service. At least 60 of these hours would be managing the service and addressing operational needs. To sustain the existing high quality service, volunteer input would need to remain consistent over time, which can not be guaranteed, Experience in this sector has shown that volunteer time is most effectively gained at the project development/ implementation stage. A key aspiration for the service over the next couple of years will be to extend the volunteering service at the project implementation level, aiming to gain more volunteers at a 2-5 hour per week contribution for the implementation of projects.

(c) The District already has the Epping Forest Conservation Volunteers, which relies on much of the existing volunteer resource, and existing volunteer time is already stretched. The emphasis for the future would be to broaden the existing volunteer base for Countrycare projects, engaging more residents and ensuring a minimum of two volunteer hours per week.

Extending the volunteer programme

13. The current Countrycare Volunteer programme. In 2009/10 the team organised 99 practical project days involving 1,044 volunteer days (6,264) hours. This equates to £45,750 of volunteer assistance. In addition Countrycare have raised over £200,000 worth of grant funding for the development and delivery of projects over the last 10 years. Countrycare staff and volunteers undertake a vital role in the upkeep of the District's nine LNRs and the establishment of new sites such as Bobbingworth Former Landfill Site. In 2009/10 over 500 staff hours and 2000 volunteer hours were given working, promoting and maintaining land owed by the Council. This equates to over £30,000 worth of labour. Many of the tasks were highly skilled and would have been expensive to undertake with contractors, for example Hedge laying on the flood reservoir LNRs.

Localism: Our vision for Countrycare-placing emphasis on volunteering

14. The aspiration is for the service to promote EFDC to becoming a beacon Council when it comes to promoting and protecting the green and unique character of the District using local volunteers and providing excellent educational services to the people of the District. The vision includes:

(a) Focusing on health and equality issues-engaging harder to reach groups and ages and promoting a healthy lifestyle through the volunteer programme, especially targeting areas most in need. There has been evidence, through staff accounts, that volunteer health has benefited as a result of the volunteering programme.

(b) Targeting youth and the older age groups in devising projects as well as implementing on the ground.

(c) Providing mentoring programmes for the 14-21 age group and improving education in ecology and countryside management.

(d) Extending the involvement/education of schools and children in the District via the

Green team environmental programme. This has been organised in the past with the community development team and has the potential to grow further.

(e) Extending the work being delivered with the successful tree warden scheme.

Resource Implications:

£124,680 including re-grading of the Countryside Manager post will offer a CSB saving of £14,970 per annum.

Legal and Governance Implications:

Under Section 21 of the National Parks and Access to the Countryside Act 1949, County Councils, Borough and District Councils have the powers to establish Local Nature Reserves. EFDC has used this power to establish nine LNRs across the District.

Through the LNR designation the Council has committed to safeguarding and maintaining the sites for their nature conservation interest and managing them accordingly.

Safer, Cleaner and Greener Implications:

Currently Countrycare offer a regular presence on the Council's LNRs. This is in the form of a education days, a regular volunteer programme and patrolling. Staff and volunteers maintain the special habitats of the sites, keep pathways clear, litter pick and repair vandalism of countryside furniture. All this largely unnoticed work ensures the LNRs are a pleasant and safe place to visit and use for leisure. This work, including work on the LoWS, has also had a dramatic impact on biodiversity increasing the opportunity for people to access nature right on their doorsteps. Currently additional budgets do not exist for this work to be undertaken and without Countrycare staff and volunteers.

Consultation Undertaken:

Discussions held with other Directorates.

Background Papers:

Countrycare Annual Reports.

Impact Assessments:

Risk Management

The proposed re-structure of Countrycare would allow for ongoing service delivery at the same level as existing and enable the team to extend its volunteer programme.

Equality and Diversity:

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

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

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

N/A

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

All work conducted by Countrycare aims to be inclusive and ensure that the Equalities agenda is taken into account

Report to the Cabinet

Report reference: C-028-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Environment
Subject: Bobbingworth former Landfill Site – Final Account
Responsible Officer: Kim Durrani (01992 564055)
Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

- (1) To note that works for restoration and remediation of Bobbingworth former landfill site have been completed and the 7 year after care maintenance by Veolia Environmental Limited has commenced;**
- (2) The final account be noted and the estimated capital saving of £38,000 be retained within the budget and a further report be submitted outlining the forecast savings in ongoing revenue maintenance costs by utilising these capital savings, for example by purchase of maintenance equipment;**
- (3) That the Portfolio Holder be authorised to consult and agree the membership and terms of reference for the local liaison group**

Executive Summary:

It is a requirement of Council's Constitution to present a final account for any scheme in excess of £1 million

The Bobbingworth Tip is a 23 acre parcel of land owned by the Council. It was an active waste landfill receiving domestic waste from 1961 to 1972, for which the then Epping and Ongar Rural Council received financial contributions. The Council is responsible for any pollution caused by the site. To limit the risk of pollution a landfill remediation project was approved by the Council in 2003.

This is a key decision.

"Green and Unique – Ensuring the protection of the unique, green and sustainable environment of the District", Action Plan (Council Plan 2006-2010) Ref: SC3.

Reasons for Proposed Decision:

Any outstanding works can be completed by the Council officers without the need to delay completion of Final Account. Costs will be higher if the remaining minor works are to be completed by Veolia Environmental Services, due to their 15% handling costs, design and supervision fees.

The Cabinet has earlier resolved the formation of a local advisory group, to assist in the ongoing management of the site. The works are now complete and the Portfolio Holder can commence work on formation of the group. The group will offer advice but will not have any

decision making powers.

Other Options for Action:

Costs will be higher if the Final Account is delayed until all minor civil works are complete. However if these works are carried out by the Council itself then there will be a saving.

The formation of a local liaison group will provide advice and assistance to officers responsible for the day to day management of the site. The group can assist with activities such as applications for funding and other local community participation events.

Report:

History and Background

1. The site is a former gravel pit and once gravel extraction ceased it was used for the landfilling of waste. The gravel pit was not lined with clay or any other suitable protective liner and this resulted in pollutants escaping from the site.
2. As part of the original design the contaminated water from the site, termed 'leachate', was collected in a drain pipe at the base of the gravel pit. This was then discharged into the Thames Water Sewage Treatment works at the edge of the site. However this system had not been operating adequately and the quality of leachate was breaching the consent agreement between the Council and Thames Water.
3. Leachate continued to cause problems which appeared to worsen in the early 1990s, with signs of leachate in the Cripsey Brook which is located to the north of the site. Leachate was also entering groundwater around the site.
4. The Council made attempts to remediate and restore the site. This included importation of clay from North Weald when a flood alleviation scheme was constructed in 1990.
5. However, when this approach proved to be unsuccessful the Council resolved to take action to avoid prosecution by the Environment Agency, reduce the risk of pollution and to enable the site to become an amenity for the local community to use.

Procurement and Design Options

6. To assist with the selection of most appropriate procurement solution the services of Atkins Consultants were acquired. It was assessed that in light of unknown factors and to reduce financial risks to the Council the most appropriate option was to appoint a partnering contractor for designing and building the works.
7. A partnering contract was awarded to Veolia Environmental Services Limited (Cleanaway Limited at the time). The contract required Veolia to carry out detailed monitoring to prepare an informed design and then implement the solution.
8. A benefit of this method of procurement is that the contractor, Veolia is committed to operating the site for a seven-year period following the completion of the works (*recommendation 1*). This will ensure that if the design objectives are not achieved or if any element of the scheme underperforms then Veolia can be held to account.

Delays and Cost Overruns

9. The original budget estimate for the project was based on the assumption that all the leachate collected from the site could be discharged into the Thames Water Sewage Treatment

Works located next to site. This assumption was proven wrong following a year long site monitoring by Veolia Limited. As a result a new, more sustainable, design solution was prepared. The new solution enables the ongoing removal of pollutants from the site in a managed way which will eventually lead to stabilisation of waste and a reduction in risk. This should, over time, also reduce ongoing maintenance costs.

10. Cabinet approved the revised scheme design which enabled preparation of detailed design, submission for a planning application, legal and land consents from other authorities. One cause of significant delay was the finalisation of Section of 278 by Essex County Council. Once all consents and approvals were obtained construction commenced in April 2007.

11. All major engineering works namely the construction of an underground grout wall barrier, installation of a leachate collection drainage system, groundwater interceptor drains, pumps, leachate treatment plant and some surface soil spreading were all completed by the end of 2007.

12. However, the final phase of soil importation and spreading on the surface could not be completed before the onset of winter, when it was not possible to work safely on site. Therefore, to avoid escalating costs, all works were suspended during winter of 2007.

13. Soil importation recommenced in 2008, but due to the slow down in the building industry it was not possible to secure the good quality soil required for surface restoration. Consequently it took longer to complete the final phase of surface restoration and Veolia had to source material at cost (not to the Council) to finish the final phase.

14. The delay in completion of surface restoration works had a knock on effect on some of the final works: tree planting, arrangements for parking facilities, site safety and enhanced CCTV systems. These have all now been completed.

Final Account and Costs

15. This project has been the subject to delay and supplementary budget allocation. The biggest expenditure was with Veolia Limited for design and construction. The form of contract used for this project is a Target Price with "Pain / Gain" share. A feature of this contract is that if the final costs of the works are below the target then both partners share the savings and similarly any expenditure over the target is also shared.

16. The Target Price agreed with Veolia for construction and design for the scheme was £2,079,159. The Final Account has now been completed and total payable to Veolia is £2,110,102. This is £30,943 over the agreed target and, in accordance with the contract, will be shared equally between the Council and Veolia. The Council's 50% share of the target price overspend is £15,471, bringing the total cost of the design and construction to £2,094,630 including the £20,000 for tree planting.

17. Essex County Council, as Highways Authority, had concerns that movement of heavy engineering plant and lorries for the works would damage the local highway network. It was a requirement of the consent for works that the District Council would pay the County Council any costs for making good any damage due to the lorry movements. The Cabinet has earlier resolved to set aside a sum of £60,000 as a maximum payment to the County Council. The final assessment of damage is £6,410.81 which is significantly less than original estimates. Arrangements are being made to release this amount to Essex County Council.

18. A separate sum of £37,653 was paid to County Council as the Deposit Fee under the Section 278 agreement. This was to enable the County to complete any works left unfinished by the Council's contractors. Now that all works have been completed 90% of the Deposit Fee, equating to £33,887 is being released by the County Council. The remaining balance of £3,766

will be released at the end of the 12 month maintenance period.

19. The total approved budget for the scheme to date is £2,492,000, excluding the £20,000 contribution from Essex County Council for tree planting. Total expenditure on the scheme so far is £2,413,000; this leaves £79,000 to carry forward. It has been estimated that there will be costs of approximately £41,000 for outstanding works (details in para 15) and fees required to complete the scheme. This would result in a saving of £38,000 which is proposed to be retained within the capital budget allocation to enable officers to establish whether on-going CSB savings can be achieved by purchasing maintenance equipment, for example a tractor or other grass cutting accessories which could be operated by Countrycare staff (*recommendation 2*).

Outstanding Construction Works and Commissioning

21. All construction works have been completed barring a few items, for example lining of a new surface water drain, installation of concrete bag work around a head wall, installation of information boards and planting of hedges around pump wells and near the southern site boundary. These works are estimated to cost £41,000. It is proposed that rather than delay the project sign off these works be carried out by the Council itself from within the existing budget allocation.

22. Over the coming months officers will review and check all data and reports being produced by Veolia to confirm the achievement of design objectives, following which the Operation and Management manuals for the ongoing maintenance of the site will be commissioned.

Aftercare and Community Liaison

23. The site is in the ownership of the District Council and it has made significant capital investment to restore and remediate the site. The priority now is to ensure the investment is fully realised by careful ongoing management of the site.

24. The Council has resolved that the site should be made available to the local community as an amenity feature. This was one of the project objectives and the design has included open public access following completion.

25. Veolia Environmental Services is of the opinion that the site is not yet ready for open public access, due to the lack of adequate vegetation cover on the surface. It is for this reason that only managed public access is allowed at present. This includes volunteers of the Council's country side management service, Countrycare. The site will be monitored on an ongoing basis and as soon as the vegetation has stabilised open public access will be allowed.

26. The challenge is to ensure efficient performance of the complex engineering works without unduly limiting access to members of the public. The aftercare of the site will be the responsibility of the Environment and Street Scene Directorate. To facilitate considerations of the local community and to assist technical officers with the management of the site the formation of a local advisory and liaison group, to be headed by the Portfolio Holder for Environment, is proposed (*recommendation 3*). The group is not intended to have any decision making powers over the management and maintenance arrangements of the site.

Resource Implications:

Existing staff will manage the tasks arising out of this report. There is a Continuing Services Budget (CSB) allocation of £36,420 for ongoing maintenance and operation of the site. This allocation will be used to operate and maintain the infrastructure installed: leachate treatment plant, leachate and ground water pumps, payments to Thames Water for discharge into the

Sewage Treatment works, CCTV equipment, energy costs, grass cutting and sampling and testing costs etc.

Legal & Governance Implications:

As the landowner the Council is legally obliged to undertake these works to abate the nuisance caused by discharging leachate arising from the former landfill operations. It used its powers under Section 111 of the Local Government Act 1972 to carry out these works.

The Council had a legal obligation to control the volumes and quality of leachate being discharged to the nearby Thames Water sewage treatment works, under the terms of the discharge consent agreement.

The Council also has powers under the Open Space Act 1906 or, more appropriately the Local Government Act 1976 to use the land as Recreation Land. These powers are being used to allow the use of the land by the public.

Safer, Cleaner, Greener Implications:

The Council has converted a previously abandoned and disused piece of land into a safe and usable local amenity feature for the enjoyment of the local community. This along with the planned enhancement in biodiversity of the flora and fauna at site will create a valuable environmental asset. Over 5,000 trees have already been planted and more are proposed. The creation of a 5 hectare flower rich meadow will contribute towards targets laid down in the Epping Forest Biodiversity Action Plan. Furthermore, the remediation has dealt effectively with the discharge of pollutants into the surrounding environment and this has been achieved using the most environmentally friendly techniques.

The site will be managed under an environmental management plan, as agreed at the planning approval stage. A key aspect of this plan is the advice from Countrycare, the Council's country side management service and their valuable technical knowledge.

Consultation Undertaken:

The project was subject to planning control and the associated statutory consultation process. The local Parish Council was the primary link for liaison with local residents, the Parish Clerk being a member of the project delivery team. The Parish arranged a town hall style meeting before the scheme commenced where officers of the Council and designers addressed concerns of local residents. Newsletters were issued to the residents of the local Parish as well as those residents of the neighbouring parish who were affected by the works.

Essex County Council was consulted with regards to biodiversity management of the site and they have made a contribution of £20,000 for tree planting and £2500 towards the meadow creation.

Background Papers:

Previous Cabinet reports on the restoration of Bobbingworth Tip.

Impact Assessments:

Risk Management

The site represented significant risk of pollution of the local environment. There were reported outbreaks of leachate within and outside the site boundary. The Council was exposed to the risk to prosecution by the Environment Agency and others. These risks were managed and controlled by carrying out the remediation scheme.

In addition there were risks associated with the construction project itself. These were managed by regular monitoring of the project risk register. This resulted in timely interventions when cost or programme risks were identified.

Wildlife Considerations

Essex Ecology Services Ltd a subsidiary company owned by the Essex Wildlife Trust was engaged to advise before construction work could commence. A number of mitigation measures were carried out to limit disruption to protected species such as badgers and grass snakes. Evidence suggests that the control measures employed during construction have been successful, efforts will continue to be made to enhance wildlife on the site. Already further works have been undertaken with a population of 150 slow worms being introduced to the site in October 2009 as part of a planning mitigation from another development in Ongar.

Equality & Diversity

Disabled access has been provided to the site by installation of disable friendly access gates as well as placing standard issue RADAR locks.

<i>Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?</i>		No
<i>Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?</i>		No
<i>What equality implications were identified through the Equality Impact Assessment process?</i>	N/A.	
<i>How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?</i>	N/A.	

Report to the Cabinet

Report reference: C-030-2010/11

Date of meeting: 13 Sept 2010



**Epping Forest
District Council**

Portfolio: Legal & Estates

Subject: Desktop Hardware Upgrade

Responsible Officer: David Newton (01992 564580).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To agree the replacement of all 5 year old desktop hardware and;
- (2) Endorse the continued use of Thin Client Technology (TCT), which uses a low-end computer terminal to access ICT functionality held on a centrally based server, allowing a cheaper and more manageable desktop solution.

Executive Summary:

The Council have a large number of Personal Computers (PC's) and Laptops that are 4 or 5 years old. The industry recognised lifespan for hardware reliability is 4 years. These units are now becoming unreliable and costly to repair and maintain.

Reasons for Proposed Decision:

Maintaining unreliable equipment is not cost effective, both in repair costs, ICT support and user productivity loss.

Other Options for Action:

Replace PC's as they fail, but this is not cost effective.

Report:

1. Information and Communication Technology is intrinsic to all aspects of the Councils work. Constant changes in technology make it difficult to source spares for the older PC's, which sometimes results in staff being unable to carry out their duties fully, whilst awaiting a repair or replacement PC. In addition, Microsoft are de-supporting their XP Operating System (OS) this year, in favour of their new offering, Windows 7. This new OS requires a far higher PC specification and it will not be possible to upgrade the majority of the older PC's cost effectively.

2. ICT currently has 137 desktop PC's & 11 laptops that have already exceeded the aforementioned lifespan. Next year, an additional 171 units will also fall into this category. During the last financial year 204 helpdesk calls related to hardware failure.

3. In accordance with the current ICT strategy, it is proposed to replace the obsolete

hardware with Thin Client Terminals (TCT's). The purchase price of a TCT is considerably less than that of a standard PC. Ease of support and reduced power consumption makes the Total Cost of Ownership far lower than that of a standard PC. Currently we have 301 thin client users out of a user base of 710. The majority of the Planning staff have been using this technology very effectively for approximately 3 years.

4. With the security controls necessary for connection to the Governments secure extranet and the development of TCT's, thin client technology can now offer the same functionality as a standard PC.

5. The cost of this proposal would be approximately £23,000 in 2010/2011 and £26,000 in 2011/2012 for TCT replacement, as opposed to £39,000 and £45,000 respectively for PC's.

Resource Implications:

The new hardware for both financial years can be funded from within the existing capital programme. The exact level of funding required will be determined following a tendering exercise using the existing Essex Online Partnership and Buying Solutions Frameworks.

Legal and Governance Implications:

None.

Safer, Cleaner and Greener Implications:

New PC's & TCT's require far less power and will aid the reduction of the Councils carbon footprint.

Consultation Undertaken:

None

Background Papers:

Desktop Hardware & Software Management Policy

Impact Assessments:

Risk Management

If not approved, potential loss of productivity from affected staff members.

Equality and Diversity:

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

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

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

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

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Report to the Cabinet

Report reference: C-031-2010/11
Date of meeting: 13 September 2010



**Epping Forest
District Council**

Portfolio: Performance Management
Subject: Health and Safety Policies
Responsible Officer: Paula Maginnis (01992 564536).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That, as requested by the Joint Consultative Committee, the Council adopts the following policies:

- (a) Asbestos Policy (Appendix 1); and
- (b) Stress Policy (appendix 2).

Executive Summary:

A number of Health and Safety Policies are being reviewed and amended where necessary. The Asbestos and Stress Policies were first to be reviewed.

Reasons for Proposed Decision:

Reviewing, updating and introducing policies ensure the Council complies with health and safety legislation and best practice.

Other Options for Action:

The Cabinet could decide not to agree the Policies or substitute them with other systems or processes.

Report:

1. A number of Health and Safety policies are being reviewed and amended where necessary. The first policies to be reviewed were the Asbestos and Stress Policies.
2. There have been minor amendments to the Control of Asbestos Regulations 2006 which needed to be reflected in the Council's policy. The Stress Strategy has been reviewed and minor amendments have been made.
3. The two policies have been discussed by the Corporate Safety Team and Joint Consultative Committee.

Resource Implications:

The two policies will be implemented within existing budgets.

Legal and Governance Implications:

The review, updating and introduction of policies ensure the Council complies with health and safety legislation.

Safer, Cleaner and Greener Implications:

N/A

Consultation Undertaken:

N/A

Background Papers:

Joint Consultative Committee Report 15 July 2010

Impact Assessments:

Risk Management

The Policies ensure that the Council meets its obligations under health and safety legislation.

Equality and Diversity:

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

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

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

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

ASBESTOS POLICY



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1 APPLICATION

- 1.1 This policy applies to all buildings owned or occupied by Epping Forest District Council, including residential and commercial lettings.

2 POLICY STATEMENT

- 2.1 Epping Forest District Council, in recognition of its duties under the Health and Safety at Work etc. Act 1974 towards its tenants, employees, visitors, customers, contractors and members of the public, undertakes to manage all previously installed asbestos-based products responsibly and in accordance with relevant legislation.
- 2.3 The Council acknowledges the health risks presented by asbestos and will take all reasonable steps to reduce exposure to asbestos fibres to the lowest level reasonably practicable.
- 2.4 When an assessment of the material deems it necessary or as part of a planned removal process, removal of asbestos will be undertaken where necessary by a licensed contractor and to a licensed site.
- 2.5 The Council will only undertake to carry out works to any building, where there is a suspicion of asbestos being present, with adequate information on the nature, condition and extent of any installed asbestos based product likely to be disturbed.
- 2.6 The Council undertakes not to purchase or install any asbestos based products.
- 2.7 The Council will provide regular guidance and asbestos awareness training, in accordance with the Control of Asbestos Regulations 2006, for all employees likely to come into contact with asbestos during the course of their employment. All contractors will be required to show evidence through their health and safety policy of similar guidance and training for their staff who may be similarly exposed.
- 2.8 The Council will maintain a register of all identified and suspected asbestos-based products and locations within buildings it owns or occupies.
- 2.9 The Council will provide information to the occupier of its premises of locations where asbestos based products have been identified.
- 2.10 Health surveillance records will be maintained for every employee who is known to have been exposed to asbestos fibres which exceed the control limit, as defined by regulation 2(1) of the Control of Asbestos Regulations 2006, of 0.1 fibres per cubic centimetre of air averaged

over a continuous period of 4 hours. The record will be maintained on file for 40 years after the last entry.

3 RISK CLASSIFICATION SCHEME

3.1 Scoring System

The scoring system is an aid to help assessors to quantify the risk associated with any asbestos containing materials in Council premises and to identify the most appropriate action to effectively manage those risks. Persons undertaking the assessment will have received training in non-licensable asbestos work within the previous 12 months.

3.1.1 Position

This is divided into three levels with ratings to express the relative risk of asbestos fibres being released into the immediate environment and available for inhalation. Fibres liberated into the open air attract a score of zero to account for the dilution factor; those in internal non-residential areas, which are in confined spaces, are scored as one. Examples of internal non-residential areas include lift motor rooms, tank rooms, corridors, landings and common stairways. All internal occupied areas are scored as two.

3.1.2 Condition

Condition is a measure of the physical condition at the time of the survey i.e. cracked, broken or punctured. Where the potential risk of fibre release is unlikely, then the condition should be scored as good.

Good: Material is intact, shows no sign of deterioration and is undisturbed.

Fair: Visual assessment and tests indicate that the material is breaking up into layers or becoming loose from the substrate. There may be signs of accidental or intentional damage.

Poor: The material is non-cohesive, pieces are dislodged and debris in the area is evident.

3.1.3 Damage Potential

Potential for future damage is a measure of potential accidental or vandalism damage or the requirement for maintenance work involving disturbance e.g. frequent removal of a service duct panel. The system allows a score of two for high damage potential, one for medium, but if no damage is considered likely e.g. the product is out of normal reach it should be considered as low and scored as zero.

Low: Building occupants cannot contact the material. Maintenance is not required for the ducts; piping or electrical systems near the asbestos material.

Medium: The material is contacted only during abnormal activity such as infrequent maintenance or repair, building occupants rarely touch the materials.

High: The material is contacted frequently due to routine maintenance and/or the building occupants can contact the material during normal activity.

3.1.4 Friability

This relates to the ability of the material (ignoring its current condition) to release fibres into the surrounding atmosphere. This is a critical issue; therefore the scores range from zero to five (see table).

3.1.5 Surface Treatment

This relates to the effectiveness of the seal over the product. Painted asbestos is effectively sealed, if the seal is damaged it should be scored as incomplete, however, if it is unsealed or badly damaged it should be considered as no effective seal. Papered asbestos panels should be considered as an incomplete seal to reflect the possible fibre release during the removal of the wallpaper in the future (see table).

3.1.6 Product

The score relating to the product takes into account the asbestos content and the composition of the binding material. Textured coatings e.g. artex, thermoplastic flooring and vinyl tiles contain only traces of asbestos fibre and the binder effectively prevents their release (see table).

The scheme provides a risk classification only, there is no score, which will automatically result in removal of the asbestos. Conversely there is no “safe” score that will confer absolute freedom from risks to health.

Asbestos Risk Classification Scheme							Score
Position	External	0	Internal (public areas)	1	Internal (occupied)	2	
Condition	Good	0	Fair	2	Poor	4	
Damage Potential	Low	0	Medium	1	High	2	
Friability (Softness)	Low	0	Medium	2	High	5	
Surface Treatment	Sealed	0	Incomplete seal	1	No effective seal	4	
Product	Sprayed Coatings	6	Asbestos Cement	1	Textured Coatings	0	
	Lagging	4	Gaskets	1	Thermoplastic flooring	0	
	Asbestos insulating board	4	Reinforced plastic products	0			
Total Score							

4 ACTION

- 4.1. Upon completion of the assessment an action plan will be prepared based on the findings of the assessment.
- 4.2. Material which scores 12 or more in the risk classification scheme should be considered for prompt removal. Removal may only be undertaken by an approved licensed contractor.
- 4.3. Material which scores between 7 and 11 should be considered for removal and for possible remedial work. If the material is not removed it will be managed in accordance with section 6 of this document.
- 4.4. Material which scores 6 or less will be managed in accordance with section 6 of this document.

5 BULK SAMPLING OF SUSPECTED ASBESTOS CONTAINING MATERIALS

- 5.1. All bulk sampling must be conducted in accordance with HSE publication HSG264, The Asbestos Survey Guide. All persons carrying out sampling must have received training for non-licensable asbestos work within the previous 12 months and must have carried out a risk assessment of their technique to ensure the health and safety of themselves and others. The appropriate personal protective equipment must be worn.
- 5.2. All sampling points must be recorded with the location, date and the initials of the sampler. Sprayed coatings and pipe lagging sample sites must be filled and covered with adhesive tape, insulating board must be repaired with filler such that they do not present an additional risk of fibre release. Sampling points may be marked on a sketch plan associated with this sample record.
- 5.3. The number of samples taken must be representative of the suspect material:
 - 5.3.1. Sprayed coatings will be sampled once every 10 – 15 sq. metres, or if the area exceeds 100 sq. metres, one per 25 sq. metres. At least one sample should be taken from wherever the material is patched or repaired. Samples should be approx. 5 sq. centimetres through the entire depth of the coating.
 - 5.3.2. Pipe lagging will be sampled every 3 metres or more frequently if the insulation obviously changes, for long pipe runs a sample every 6 metres will be sufficient. Attention must be given to the elbows and valves where the insulation may be different to the main pipe run of the pipe. Samples must be taken as a core of approx. 5 sq. centimetres to the full depth of the insulation. Boilers and calorifiers must be sampled at least twice – on the top and at the side. Any patched or repaired areas must be sampled.
 - 5.3.3. Insulating boards must be sampled whenever the suspect material appears to change, and at least every 25 sq. metres in the case of suspended ceilings. Individual duct panels will be sampled if obviously different or if there is evidence of repair. All samples must be taken from near the edge of the sheet to allow easy repair with filler.
 - 5.3.4. Asbestos cement should be sampled once per roof or run of guttering unless it obviously changes in visual appearance.
 - 5.3.5. Textured coatings must be sampled twice every 25 sq. metres.

- 5.3.6. One sample of each colour thermoplastic floor tile must be taken per room or location in which they are laid.
- 5.4. Where the sampling officer considers that bulk sampling at these rates will damage the integrity of the material and is unnecessary, fewer samples may be taken and this must be indicated in the survey report.
- 5.5. Samples will be sent in an approved fashion to a United Kingdom Accreditation Service (UKAS) accredited laboratory.
- 5.6. Records of samples will be held by the Housing Directorate in respect of materials in Council owned Housing Stock and by Facilities Management, Corporate Support Services in respect of materials in all other Council owned or occupied premises.

6 MANAGEMENT OF ASBESTOS CONTAINING MATERIALS

- 6.1. It will not normally be necessary to further seal, enclose or remove materials containing asbestos, which are sound, undamaged and not releasing dust. These should be risk assessed, recorded, left in place and managed.
- 6.2. Only asbestos containing materials which have been surveyed and classified as low risk will be considered suitable for management.
- 6.3. Where undamaged asbestos containing materials are left in situ, the occupiers of the building must be advised in writing of its location and given guidance on works that may and those that must not be carried out on the material. Where the occupancy of the building changes, new occupants must be similarly advised. A warning label will be applied to the material where practicable or a list of asbestos sites posted in a suitable location (e.g. a boiler cupboard in tenanted housing).
- 6.4. The presence of the asbestos containing material must be included on the asbestos register, this must be updated as removal is carried out. All materials which are in good condition must be periodically re-inspected to ensure that the condition of the material has not changed. The inspection will be visual avoiding unnecessary disturbance or fibre release and will not involve the covering material, e.g. duct panels or ceiling tiles. The frequency of the inspection will be based on the periods as follows:

Sprayed asbestos coatings	every year or on reported damage
Pipe Lagging	every year or on reported damage
Insulating board	every ten years or on reported damage

Cement Sheet	on reported damage only
Textured Coatings	on maintenance works only
Vinyl flooring	on maintenance works only
Reinforced plastics	on maintenance works only

The actual periods will however be risk based and depend upon position and activity in the area.

- 6.5. The appropriate manager will be responsible for the inspection of the materials within their premises
- 6.6. To comply with regulation 10 of the Construction (Design & Management) Regulations 2007, any information that is held on substances harmful to health, including asbestos will be included in the information given to designers and to the CDM co-ordinator for inclusion in the pre-tender health and safety plan and should therefore be included in the information given to the contractor at tender stage. A warning that not all materials containing asbestos may have been identified should be incorporated with clauses under the general heading "Asbestos Policy".
- 6.7. Asbestos Awareness training will be given to all staff who may come into contact with asbestos containing materials in the course of their work.
- 6.8. If, on inspection any material containing asbestos is found to be damaged or has deteriorated it will be reassessed and reclassified and appropriate action taken. This will be the responsibility of the Line Manager to put into effect.

7 MANAGEMENT OF WORK WITH ASBESTOS MATERIAL

- 7.1 Where asbestos containing materials need to be removed, Consultants, Project Managers or Supervisors who have the ability or responsibility to influence the manner in which work with asbestos is conducted must be competent.
- 7.2 Air monitoring will be carried out during any work where asbestos based materials may be disturbed. All consultants employed by the Council to conduct air monitoring must be accredited by UKAS for the collection of samples and fibre counting.
- 7.3 Any contractor or employee selected to work with asbestos containing materials must be positively informed of the presence of asbestos as recorded in the asbestos register. The contractor or department will then be expected to prepare an assessment and plan of work. The assessment and plan of work must be in writing and submitted to the

- 7.4 client-instructing officer who may take advice from the Council Safety Officer. Written approval of the assessment and plan of work must be obtained from the client-instructing officer before commencement of any work with asbestos. Generic assessments and plans of work are acceptable for repetitive tasks carried out with in the same manner in similar locations and do not need individual approval. NB This is in addition to any statutory notification required of the contractor.
- 7.5 Where the work method is varied due to a changed specification or an instruction to carry out additional works, an amended assessment and plan of work must be prepared and approved by the client-instructing officer before commencement of any works with asbestos.
- 7.6 Any contractor working in close proximity to an asbestos containing material must carry out an assessment of the potential for fibre release during the normal course of the works and for any reasonably foreseeable accidents. This must include the precautions and control measures proposed to prevent any fibre release. The assessment and plan of work must be in writing, effectively communicated to the operatives concerned and be available for inspection on site where the work is being undertaken. Generic assessments are acceptable for repetitive tasks carried out in the same manner in similar locations.
- 7.7 All contractors carrying out work with any asbestos-based product in any building to which this policy applies must keep a health & safety file for the activity on site. The file should be kept available for inspection and a copy provided to the council at the end of the maintenance period.
- 7.8 All contractors who propose to carry out any work on any asbestos containing materials must hold a licence issued by the Health & Safety Executive in accordance with Regulation 8 of the Control of Asbestos Regulations 2006 unless the work is non-licensable as defined by Regulation 3(2). In general, non-licensable works are those where exposure of employees is sporadic and of low intensity; and where it is clear from the risk assessment that exposure of any employee to asbestos will not exceed the control limit.
- 7.9 Client side supervisors or enforcement officers must not enter any asbestos stripping enclosure. Licensed contractors are expected to provide evidence of enclosure integrity tests. A competent consultant must carry out any gathering of evidence within an enclosure for contractual or enforcement reasons. In-house staff are not equipped to the necessary standard to enter asbestos enclosures.

- 7.10 All work to asbestos insulating board in occupied areas will be considered licensable work as defined by the Control of asbestos Regulations 2006 and require the appropriate controls to apply.
- 7.11 All Housing Repairs Service operatives who may carry out work on buildings (usually through works orders) must be instructed in writing that if they come across any material they suspect to be asbestos which has not been notified to them in advance, they will stop and report to their supervisor. Any new staff will also be formally instructed.
- 7.12 Works orders system will link to the asbestos register and indicate any known asbestos on the works orders for that premises.
- 7.13 All employees who may be required to carry out work on asbestos containing materials, including sampling suspected asbestos containing materials, will receive annual training for Non-licensable Asbestos Work. No employee under 18 years of age will carry out work on asbestos containing materials.
- 7.14 All licensable work on asbestos containing materials will be out sourced to licensed contractors.

8 EMERGENCY PROCEDURES AND UNCONTROLLED RELEASE

- 8.1. In the event of any member of staff inadvertently damaging a product thought to contain asbestos the following procedure will apply
 - Evacuate other occupants, leave the room, or the immediate area, close the door and switch off all ventilation equipment.
 - Inform the local manager and their line manager. Place a sign on the door to keep out or lock it.
 - The local manager will then refer to any premise records to determine if the product contains asbestos. If there is any doubt, the manager will contact the Council Safety Officer who will assist in the management of the incident.
 - The Council Safety Officer will co-ordinate with the manager any necessary investigations and advise on any remedial works in association with any appointed asbestos consultant.

9 REVISION AND AUDIT

- 9.1. All generic assessments and plans of work produced by contractors must be revised at intervals of not more than two years and in any case following changes in legislation or best trade practice.
- 9.2. Compliance with the protocol will be monitored by the Council Safety Officer who will respond to any serious breaches and report them to the Corporate Safety Team.
- 9.3. This policy will be revised at intervals of not more than two years or when there are significant changes in legislation or best practice. The Council Safety Officer will ensure this policy is kept under periodic review, at least every two years, and update it as necessary to reflect changes in legislation and best practice.

10 STAFF CONSULTATION

Staff will be consulted using the recognised trade unions and the Corporate Safety Team and procedures set up within the safety manual. Consultation will occur on any matter involving asbestos which has the potential for affecting staff health and safety. Consultation is not required, (but may still occur), for treatment of asbestos in any individual case where the treatment has been decided in accordance with this policy.

HOW DO I DEAL WITH STRESS?

SUPPORT FOR STAFF



OUR APPROACH TO DEALING WITH STRESS

At Epping Forest District Council we value our staff and aim to support you in providing services to our customers. We do this in a number of ways, including the following.

- We provide training and development opportunities to help you do your job better and develop your career.
- We review the ways we communicate with you to improve the flow of information.
- We aim to create a working environment where any stress experienced by staff is reduced in a positive and supportive way.

This guidance tells you what support is available if you are finding it difficult to cope with any aspect of your working life. We recognise that pressures outside of work can affect how well you cope with your job. Our approach is to offer a range of initiatives and resources to help you, together with speedy access to specialist advice if you need this.

ISSUES TO THINK ABOUT IF YOU ARE EXPERIENCING STRESS

The experience of stress can affect the way we think, feel and behave, and can also cause physical symptoms.

Stress can cause a range of short-term physical or mental health symptoms and changed behaviour.

Signs of Stress

Physical symptoms: headaches; respiratory infections; raised heart rate; menstrual problems; back pain; gastro-intestinal problems; and skin or sleep disorders.

Psychological symptoms: irritability; depression; and anxiety.

Changed behaviour: increased use of tobacco; alcohol or drugs; increased accident rates; eating disorders; social withdrawal; aggression; difficulty concentrating or remembering things; poor decision making; inability to switch off; loss of creativity; working long hours; and an increased number of errors.

When people experience stress over long periods they may develop other signs, for example high blood pressure, heart disease, ulcers, anxiety or long term depression.

If you are experiencing any of these symptoms you should take action. Here are some ideas to help you.

Your job

It is a fact of modern life that all our jobs are busy, and are often pressurised. Some degree of pressure is a normal part of life and does not have a bad effect on our health. However, problems can occur if the pressure becomes excessive or continues over a long period of time.

As individuals, we have different ways of coping with pressure, and different levels of tolerance. Stress is an excess of pressure that you are unable to cope with. If you are experiencing stress-related difficulties at work, it often helps to think about how you do your job.

Could you do your work in a different way, perhaps so that you can plan better for peaks and troughs? Talk to your manager about this, as he or she may have a better idea of what is going on throughout the team, and be able to suggest some changes.

Sometimes stress can be 'self inflicted' by conscientious staff who set themselves targets which are too challenging or demanding. Think about how you structure your day, your working hours and lunch break.

We have a flexible working hours scheme, and there may be scope for you to change your working pattern to fit in with domestic commitments (subject, of course, to the needs of your team).

Work Outside the Council

The 'Working Time Regulations 1998' introduced a number of measures to make sure you do not work excessive hours. Therefore, you must tell your manager if you have a second job, outside the Council. This is so that you do not work too many hours, which might affect your health and safety. You must have permission from your manager to carry out work which might conflict with your job with the Council. Finally, if you are paid on spinal column point 26 or higher you must seek permission for any outside work you want to do. Please see the Staff Handbook for more information (Working for the Community).

Your workplace

Sometimes stress is caused by poor office layout or working conditions. It is not always possible to resolve issues about space, due to the physical constraints of buildings, but it is often helpful to look at whether you have the right office equipment to do your job properly, including a suitable chair and desk. You should discuss any concerns with your manager, or speak to your safety representative or the Safety Officer for advice on these matters.

Issues outside work

Stress may be caused by issues outside work, for example a relationship breakdown, a death, caring for elderly relatives, the arrival of a new baby or financial difficulties. These problems can affect our work as well as our home life. It can be useful to spend some time looking at your overall priorities – this is often called 'work/life balance'. If you have recently taken on new caring responsibilities, either with a



child or perhaps an elderly adult, it may be useful to think about a period of part time working or job sharing (if your job can be organised in this way).

Whilst your personal life is your own responsibility, and a private matter, it is important to recognise the effect this can have on your work. A number of ideas are given below to help with this.

WHERE TO GO FOR HELP

We recognise that everyone is an individual, and experiences stress in different ways. Equally, the solutions to stress will not be the same for everyone so, rather than taking one overall approach to managing stress, we have provided a range of options for you to consider.

Who to Contact for Advice

Your first point of contact in tackling stress is to talk to your line manager. You can also speak to the Human Resources Team, your trade union or the Safety Officer. The important thing is to take action as quickly as possible.

The Role of Your Manager

If you are experiencing stress, it is important to talk about your concerns with your manager, rather than carry on in silence. This should usually be your first step in tackling stress, unless you feel you need to deal with it in another way.

We offer training to managers on how to recognise and address issues of stress within their team. Your manager is often the best person to help if you are having difficulties with your job, or you feel it could be better designed to enable you to work more efficiently. He or she will be able to deal with matters in a confidential and professional way, and provide advice and support. Sometimes the things that make you worry are not as important as you thought.

Materials in the Open Learning Resource Centre

Here you will find a number of self-help books, CDs, relaxation tapes and videos about dealing with stress. They are provided to help you, so please feel free to borrow or browse through them. If you want to borrow them, please speak to the Human Resources Team, who are responsible for keeping them up to date and lending them out.

Information and Awareness Sessions run by the Occupational Health Service

The Council's Occupational Health Service runs short health screening sessions for individuals, where basic checks are carried out on blood pressure and body weight. These are free to staff, but places are limited and should be booked through Human Resources.

The Employee Counselling Service

If you feel that you need to spend time discussing any specific difficulties with a trained counsellor, Human Resources can arrange this for you. The Council will pay for a maximum of five sessions, which take place on a confidential basis. If you need more sessions than this your Director or you will need to pay a fee.

The Workplace Chaplaincy

Workplace Chaplains make regular visits to the Council Offices. If you would like to talk to one of them, their visiting timetable and their contact details are available on the door of the Open Learning Resources Centre.

Personal Advice from the Occupational Health Service

We use the Occupational Health Service to gain medical advice on employees who are away from work on sick leave. The service provides information on how we can support staff when they return to work.

You can also refer yourself to the service on a confidential basis. If you need specific health advice to help you with your work. It is sometimes useful to do this if you need to discuss any medical condition with a qualified occupational health practitioner. If you feel this would be helpful, please speak to Human Resources.

Your Own Doctor (General Practitioner)

Your GP keeps details of your medical history, and will be able to offer you advice, which is important if you have a specific medical condition. They can sometimes offer referrals to specialists if this is necessary, or may recommend a short break from work. This is sometimes all that is needed to put any difficulties in context, leaving you feeling much better when you return.

Leisure Facilities at District Sports Centres

Health professionals recognise the importance of regular exercise as a means of combating stress and staying healthy. There are a range of high quality fitness facilities in the district which you can use at a discounted rate. Please contact Epping Leisure Centre, Loughton Leisure Centre, Ongar Leisure Centre or Waltham Abbey Swimming Pool for further details. Lunchtime 'Walking For Health' events are also organised. Please contact Sports Development for further details.

OTHER HELP WE OFFER

Learning and Development Opportunities

We run a full range of training courses for staff, with the aim of equipping you to do your job better. The programme includes topics such as assertiveness, stress management and time management. These are all important aspects of managing stress effectively. Details of the programme are available from the Human Resources Team. We can also arrange confidential one-to-one sessions where you can discuss your job and career aspirations.

The Harassment and Bullying Policy

If you feel that you are being harassed or bullied by your manager, a customer, a councillor or by work colleagues you should raise this with them first. It is always better to talk through differences or misunderstandings, rather than let them fester. However, there are times when this is difficult to do, and you may find that you need to raise matters more formally. You may wish to think about whether the Harassment and Bullying Policy could help you, particularly if informal approaches have failed. We suggest that you seek advice before taking this step, and your trade union or the Human Resources Team will be able to provide this.

EQUAL OPPORTUNITIES POLICY

At Epping Forest District Council we value the contribution of all our employees. We seek to create an environment where individuals can flourish, and where respect for others is encouraged. You should expect your work to be carried out in an environment which is free from discrimination and where each persons' contribution counts. Everyone has a role to play in this, both managers and staff, by keeping to the policy and making sure that behaviour is free from discriminatory practice.

STRESS MANAGEMENT POLICY



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1. WHAT IS STRESS?

Definition of stress

When the demands and pressures placed on individual workers do not match the resources available or do not meet the individual's needs and motivations, stress can occur and endanger that person's health and well-being. In the short term, stress can be debilitating, in the long term stress can kill.

All work has its pressures. We all vary in our capacity to cope with different types of pressure. Some degree of stress is a normal part of life and provides a stimulus to grow without having an adverse effect on health. When stress is intense, continuous or repeated, as is often the case with occupational stress, ill health can result.

The experience of stress can affect the way people think, feel and behave, and can also cause physiological changes. Many of the illnesses caused by stress can be accounted for by the physiological changes that take place when the body is placed under stress.

Stress can cause a range of **short-term** physical or mental health symptoms and changed behaviour.

- Physical symptoms include headaches; respiratory infections; raised heart rate; menstrual problems; back pain; gastro-intestinal problems and skin or sleep disorders.
- Mental health symptoms include irritability; depression; and anxiety.
- Changed behaviour includes an increased use of tobacco, alcohol, coffee or drugs; increased accident rates; eating disorders; social withdrawal; difficulty concentrating or remembering things; poor decision making; inability to switch off; loss of creativity; working long hours and an increased number of errors.

When stress is experienced over **long periods** other signs may develop, for example high blood pressure, heart disease, ulcers, anxiety or long term depression.

Causes of work-related stress

- Poor physical working conditions.
- Poor job design which may include lack of variety, short work cycles or fragmented or meaningless work.
- Excessive or uncontrolled workloads and/or conflicting demands.
- Inconsistent or poorly communicating management.
- Tasks inappropriate to the person's ability.
- Bullying, harassment or intimidation.

Home-Work interface

Stress can also arise from the pressures people experience in their home and personal lives, e.g. bereavement, relationship or family problems, or financial difficulties. These factors can make people more vulnerable to stress at work. Conflicting demands of work and home life can cause stress.

Often, the harmful effects are caused by a combination of work and home stress.

KEY POINTS

- **Stress can be physically or psychologically harmful, or both.**
- **Personal or work-based pressures or a mixture of the two can cause stress.**
- **Stress can be reduced by organisational changes; training for managers and employees in recognising and handling stress; and help for individuals.**
- **The Council has a responsibility to control excessive stress caused by work**

2. POLICY STATEMENT

We recognise that stress at work is a health and safety problem. As an employer, we have a duty to take all reasonable measures to prevent stress in the workplace by assessing the causes of stress and introducing measures to reduce or prevent stress.

This policy is based on the knowledge that stress management begins with a shared understanding between managers and employees that stress is a significant and legitimate health issue at work. Excessive or negative stress should not be seen as an inevitable part of modern life or as a sign of individual weakness. Employees suffering from stress and stress related illness will be encouraged to seek help and support and will not be subjected to unfair discrimination in any way.

We are committed to the development of stress management initiatives, including:

- Directorate action plans to address stress management
- Detailed guidance notes to assist managers
- Providing Stress Management, Stress Awareness and Time Management training for all staff
- External counselling services
- Promoting this policy to employees and Members

We believe that stress management must be an initiative that forms part of the organisation's culture and way of working. Primary responsibility for tackling stress lies with management although everyone has a duty to themselves and others to reduce stress in their workplace by modifying their behaviour as appropriate.

This Policy Statement will be issued to all employees of the Council and Members and will be reviewed and updated as and when necessary.

3. MEMBERS AND SENIOR MANAGEMENT'S ROLE

Members and Management Board recognise that stress is a legitimate problem at work and that they have a responsibility to adopt a positive approach to stress reduction. They are committed to tackling stress in the workplace and this is demonstrated by the adoption of this policy and the introduction of the stress related initiatives.

Members and Management Board acknowledge that a fundamental part of all the stress management measures is the need to develop a supportive culture and way of working. They aim to develop this supportive culture, and an involving and participative style of management. They will give clear management objectives, promote good communication and close employee involvement. These measures will help managers to tackle the sources of stress and take positive action to minimise stress.

4. MANAGERS' ROLE

Managers must be alert to employees displaying signs of stress and take appropriate action, using the corporate support available. Recognition and management of stress are integral to the roles of managers and supervisors.

Managers should adopt a range of initiatives to make a significant impact on the reduction of stress amongst employees. These initiatives will include a variety of measures, which are summarised below. Some managers may be doing some of these things already, some may be doing all of them, but all managers should endeavour to improve their practice to obtain beneficial results.

Managers and supervisors must:

- Identify jobs where stress has been, is, or has the potential to be a problem.
- Through risk assessment, see what can be done to reduce the risk of stress to jobholders.
- Meet all employees reporting directly to them on a planned and regular basis. Provide space to discuss their concerns and listen to what they say.
- Take care over the allocation of work. Do employees have the required skills? Are timescales reasonable?
- When employees are absent, find out why. Visit employees on longer-term absences and offer support.
- Ensure that all new employees receive a planned induction programme that fully prepares them, (over a period of time), for their employment with the Council.
- When employees are promoted or their job changes make sure they are given advice and support to help them adjust to the changed situation.

- Identify the training and development needs of their staff and make arrangements to monitor progress in meeting those needs.

How do I deal with staff stress? – A manager's toolkit gives more detailed advice to assist in these tasks.

5. EMPLOYEE'S ROLE - SELF HELP

We all have a responsibility to ourselves and others to take steps to minimise or reduce stress in the workplace, beginning with our own stress. Here are some ideas which may help us cope better with stress.

- **Good health** - eat sensibly, get enough rest and avoid the harmful effects of alcohol, drugs and tobacco.
- **Exercise** - take regular exercise such as walking, swimming, cycling or jogging.
- **Life style** - make time for yourself. Enjoy leisure activities and interests.
- **Talking** - talking things through with friends and relatives can help. 'A problem shared is a problem halved'. If problems become too much, talking to a counsellor may help. Also, the Workplace Chaplains make regular visits to the Council Offices if you would like to talk to them.
- **Time to think** - giving yourself 'thinking time' each day can help you to manage your time and priorities.
- **Rest and relaxation** - learn to relax. Taking short breaks throughout the day will make it easier for you to wind down at the end of the day.
- **Talk to your work supervisor or manager** - discussing the problem with your manager may also help. If the problem is a work related one or your work is being affected your manager needs to know you are experiencing stress. Once they know about the problem they will be able to work with you to reduce the causes of the stress, and/or introduce measures to help you cope with the stress.

As well as taking steps to minimise our own stress we should modify our behaviour if it is causing stress to others. Placing undue stress on a colleague or team member will not be tolerated. If a member of staff is bullying or harassing a colleague that person will be dealt with under the terms of the harassment and bullying policy and may be subject to disciplinary action.

Everyone must be aware of and considerate to colleagues who are suffering from stress.

Under the Health and Safety at Work Act 1974 we all have a duty to take reasonable care for our own health and safety and that of others who may be affected by our acts or omissions at work. We also must co-operate with the Council which has statutory duties imposed on it.

6. GETTING HELP

Most of us get help informally from family, friends and colleagues. Sometimes we may need to talk to someone who is outside the situation. If you are feeling under stress, it is better not to wait for the problem to build up but to talk to someone straight away. There are a number of options open to you.

- If it is a work problem or a home problem affecting your work discuss it with your manager or supervisor. You may use the regular supervision sessions which you have, or you may prefer to make a special appointment. She or he will then know the situation and be able to help you. Your manager will always hear your problems and concerns, in confidence. Your manager or supervisor may recommend the involvement of the Human Resources Unit.
- If you do not wish to approach your manager you can contact the Human Resources Unit direct.
- The Human Resources Unit can arrange for you to receive staff counselling for any problems affecting your work. If you would like to see a counsellor, contact Human Resources. The service is strictly confidential.
- Workplace Chaplains make regular visits to the Council Offices. If you would like to talk to one of them, their visiting timetable and contact details are displayed outside the Open Learning Resources Centre, near Human Resources, on the 1st floor of the Civic Offices.
- If you are experiencing bullying or harassment in your workplace or you are accused of bullying or harassing someone else, please contact the Human Resources Unit for advice and support. This will be kept in strict confidence.
- If you belong to a trade union they may be able to provide support and advice.

HOW DO I DEAL WITH STAFF STRESS?

A MANAGER'S TOOLKIT



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INTRODUCTION

We recognise that dealing with staff stress is sometimes a complex issue. It can be a bewildering area for a manager to deal with. This guide has been written to help you identify the key issues and plan actions to support your team.

The Council has a legal duty to look after the health, safety and welfare of its employees and this includes a duty to reduce, as far as reasonably practicable, the levels of work related stress likely to cause ill health. Employers have liability for reasonably foreseeable mental as well as physical injury. It is important that we have systems in place to be able to identify the sources of stress and the appropriate resources to take action to minimise levels of stress.

Stress related illness is now the second most common reason for absence from work and according to the Health and Safety Executive about 1 in 7 of the workforce are suffering from stress at any time. Stress results in increased sickness absence and employees suffering from stress become under-productive, demoralised and more prone to accidents and mistakes. As an employer we also have a duty in law to provide safe systems of work. So, there are clearly business, legal and moral reasons for an overall corporate approach to the management of stress.

We recognise that the work the Council does can sometimes be stressful, and have developed a Stress Management Policy and other initiatives, which aim to help managers deal with staff stress.

The Stress Management Policy document shows:-

- basic facts about stress
- a definition of stress
- the policy
- councillors and senior management's role
- a summary of the manager's role
- the employee's role (self help)
- details of how to get help

These guidelines are issued to help us achieve a consistent and systematic approach to the management of stress. We have also produced guidance for staff called "Stress Strategy – Support for Staff".

STRESS MANAGEMENT POLICY STATEMENT

We recognise that stress at work is a health and safety problem. As an employer we have a duty to take all reasonable measures to prevent stress in the workplace by assessing the causes of stress and introducing reasonable measures to reduce or prevent stress.

This policy is based on the knowledge that stress management begins with a shared understanding between both managers and employees that stress is a significant and legitimate health issue at work. Excessive or negative stress should not be seen as an inevitable part of modern life or as a sign of individual weakness. Employees suffering stress and stress-related illness will be encouraged to seek help and support and will not be subjected to unfair discrimination in any way.

We are committed to the development of stress management initiatives including:

- identifying and risk assessing potentially stressful roles and work
- detailed guidance notes to assist managers
- providing stress awareness, stress management and time management training
- external counselling facilities
- promotion of this policy to employees and councillors

We believe that stress management must be an initiative that forms part of the organisation's culture and way of working. Primary responsibility for tackling stress lies with management although everyone has a duty to themselves and others to reduce stress within their workplace by modifying their behaviour as appropriate.

The statement of policy will be issued to all employees of the Council and revised and updated as and when necessary.

WHAT ARE MY RESPONSIBILITIES AS A MANAGER?

The six elements in our corporate approach

These guidelines are designed to assist you in managing staff stress by helping you look at what can cause stress at work and identifying ways of reducing it.

Your responsibility is to be alert to employees displaying signs of stress and to take or offer appropriate action, using the corporate support available.

To ensure a consistent and systematic approach to stress management across the Council you should take the following steps.

There are six elements in our corporate approach:

1. Accept that stress is a legitimate health and safety problem

Make sure that your staff understand that stress is a legitimate health and safety issue. This is expressly stated in the policy. You must make it clear to all employees by your own behaviour and attitude that suffering from stress does not mean weakness or failure and that ill health caused by stress can be prevented. We must avoid the stigma that makes stressed individuals feel they have failed.

2. Identify the sources of stress

This is a continuous process. You must understand the demands and pressures in your own service area which could lead to stress. Ongoing stress levels and sources of stress can be identified by:

- regularly listening to your employees' views, individually and as a group through 1-2-1 meetings and team meetings
- holding formal performance and development reviews (PDR)
- reviewing the volume of work especially in areas of unfilled vacancies, such as current and future work loads and overtime hours worked
- monitoring sickness absence particularly for an increase in minor illnesses or a changed rate of absenteeism; monitoring reasons for absence that could be indicative of stress, e.g. depression or headaches
- undertaking risk assessments which will identify those jobs that are more prone to cause stress – comprehensive guidance on this, including the Management Standards and case studies may be found on the Health and Safety Executive's website <http://www.hse.gov.uk/stress/>
- use of the counselling service (although as referrals are confidential, you will not always know about these)

3. Recognise the symptoms of stress amongst your employees

Be aware of the warning signs of stress amongst your employees.

It may not always be possible to identify the sources of stress – you may instead become aware of employees suffering from excess stress from their behaviour or work performance, or in their relations with colleagues. If the warning signs are not recognised or are ignored they can lead to physical or mental illness.

You should also be aware that an individual might find it difficult to recognise that they are suffering adverse effects of stress and may need their colleagues or manager to help them to identify this. The warning signs may include:

Work performance	absenteeism, poor timekeeping, inability to concentrate, overworking, failure to delegate, drop in usual standards of work, increased accidents
Interpersonal relationships	unusual irritability or aggression, becoming withdrawn or unsociable, increased resentment of advice, unwillingness to co-operate
Behaviour	moodiness, uncharacteristic reaction to a normal event, false cheerfulness, nervous twitches, changes in eye contact, overeating, smoking, drinking or anxiety

Physical symptoms of stress can include headaches, indigestion, muscle tension, chest and back pains. Prolonged stress may make worse more chronic health problems such as raised blood pressure, heart disease, stomach ulcers and depression.

The Health and Safety Executive's Management Standards Indicator Tool (available on the intranet) may be used to survey staff to identify where stress may be an issue. Advice on its use may be obtained from Human Resources or the Safety Officer. Further information on its use may be found on the Health and Safety Executive's website (<http://hse.gov.uk/stress/>).

4. Take action to reduce stress

A combination of organisation interventions, personal coping mechanisms and confidential employee counselling is likely to be most effective in reducing stress, but we must address the source of the problem to make any strategy effective. The case studies on the Health and Safety Executive's Stress website give good examples of how stress may be reduced. The measures shown on the following pages use all three approaches.

(i) Develop a supportive culture

Employees can often feel isolated and unable to share their problems with others; creating a supportive culture can help eliminate feelings of failure and isolation. In particular consider the following:

- Take a lead in accepting that employee stress is not an indication of failure or weakness. Encourage employees to discuss feelings of stress and encourage and commend supportive behaviour from others.
- Help individuals to define causes of stress and seek out guidance, resources or training to assist them to learn new ways to cope.
- Encourage employees to make use of outside help such as the external counselling service.
- Make sure you are accessible to employees to discuss problems and anxieties. For example, hold regular planned meetings with both your team and individuals, and have an "open door".
- Look at ways to improve the working environment. Can you reduce over crowding or improve poor lighting and furniture?
- Review your procedures for:
 - the induction of new employees
 - providing support when people return to work after sickness absence
 - dealing with people who are failing to cope with their work
 - dealing with critical incidents
- How do you "reward" employees? Do you show appreciation of good work?
- Think of other ways to develop a team spirit.

(ii) Management style

Management style has a major part to play in reducing or increasing stress. An involving and participative style (where appropriate) will reduce uncertainty and fear. In particular,

- Analyse your own management style and its effect on employees. Seek feedback from your staff on this
- Develop a co-operative group problem solving approach rather than competitive management ("I know what is going on and you don't"), by encouraging teamwork, employee participation in decision making and control over their work

- Learn how to recognise stress in yourself and others and develop personal coping mechanisms

(iii) Organisation of Work

Do you allocate resources appropriately, make best use of your staff and are employees fully using their skills and capabilities?

- Make sure your staff have realistic goals and deadlines, and are aware of them. You can do this with clear job descriptions and regular discussions about their performance.
- Make sure your staff are aware of the likely impact of change on their jobs and workload; consult them and give them adequate information and support for planned changes at work.
- Make sure your staff receive sufficient training and information to carry out their jobs effectively
- Help people manage their time better and try to avoid work underload or overload
- Appraise your staff regularly, giving praise and constructive criticism and identifying mismatches of person and work, as part of the employee's development process
- Review workloads and work programme planning. Do employees regularly take work home, work through their lunch hours, or work long hours?
- Look at informal and formal communication within the team, with other teams and externally to identify causes of stress and take action as appropriate.

(iv) Training and development

Doing a job for which you are not adequately trained can lead to increased and unnecessary stress. When jobs or teams are restructured, training needs must be identified. Identifying and meeting training needs should not be seen as a one-off annual exercise but as a continual process. Appropriate training may include project-work, coaching or attending relevant courses.

Review how you identify and meet training needs within the department.

1. Does the available training meet these needs?
2. Do you have a system for briefing and de-briefing the employee?
3. How do you train and develop employees for promotion or succeeding with new tasks?
4. Consider appropriate training and development activities to help individual employees cope with and reduce their own stress such as:

- induction
- time management
- assertiveness
- team building
- managing meetings

(v) Recruitment and selection

Be sure to seek occupational health advice if you are concerned about an applicants' tolerance of stress, especially for posts where it is recognised that a higher than normal level of pressure exists. Under the Disability Discrimination Act it may be discriminatory to refuse to select a person who is the best person for the job but who has, or has had a mental health problem or other stress-related illness. Seek advice from Human Resources if this situation arises.

To minimise any problems:

- The full range of tasks and demands of the job should be set out clearly in the job description. These and areas of potential pressure, should be identified and fully discussed at the interview.
- All references requested will ask about candidate's sickness and absence records but take care in the interpretation of the reference. Where there is cause for concern, you must investigate sensitively, as there may be a perfectly legitimate reason for any absence.
- Where appropriate, employment referees should also be asked specific questions about the candidate's ability to handle stressful situations. If you wish to do this, seek advice from Human Resources.
- Where, in the initial screening process, a potential stress difficulty has been identified but the person has still been employed, you should enquire about his or her well-being and progress at regular intervals, on a confidential basis.

(vi) Induction and promotion

- All new employees must receive induction into their jobs. Starting a new job can be a stressful time and a planned induction programme will eliminate many concerns.
- The Stress Policy should be discussed as part of the induction programme and employees advised where they can turn for help and support.
- Existing employees can be at particular risk of stress when they are promoted or take on new roles. A similar induction activity should be arranged where appropriate.
- 1-2-1 coaching may be considered, especially for those promoted to a senior role. Further advice on this may be obtained from Human Resources.

(vii) Absence management

The corporate procedure on sickness absence management must be followed:

- You must ensure that all employees' absences are recorded accurately.
- As part of regular supervision processes, all absences should be discussed with the employee and underlying reasons identified.
- You should arrange to talk with or to visit any absent employee in accordance with the sickness absence procedure to discuss any underlying causes and to arrange support and assistance if the absence is likely to continue.
- You should not encourage or condone employees using their annual leave for sickness absence. This could mask underlying problems from showing up in absence statistics and delay a problem being identified.

(viii) Return to work after absence

- In consultation with the employee and, if necessary, advice from Human Resources, you should plan an individual's return to work after a stress related illness. For example, a person may be ready to return to some aspects of their job but not others and it may be possible to adjust work responsibilities. A phased return or part-time work may be considered initially, following advice from the Occupational Health Service.
- After the employee returns to work, continue to meet them to discuss their recovery and the factors which may have contributed to the stress. Meetings may be required more frequently than would be normal.
- If the employee is still finding difficulties coping, try to redesign the job temporarily or to transfer the employee to a less stressful post. Ask Human Resources for advice on suitable alternative employment. Any alternative working arrangements should be for a short period in the first instance, after which time the situation should be reviewed in accordance with the Council's sickness absence management arrangements.

5 Treat employees suffering from excessive stress fairly

People differ in how they respond to stress depending on things like their own expectations, past experience, personality vulnerabilities and resources. People also differ in how they cope with stress, so that no single approach helps all situations. Someone may be suffering from stress due to external pressures such as finance, arranging childcare or divorce. These pressures may spill over into work and affect their performance. As a manager you can have little practical effect on these external factors beyond recommending expert advice or counselling as appropriate, but you can watch for signs of undue stress and be supportive.

Stress can lead to a severe medical problem resulting in the inability of the person to undertake the duties of their post. If it is not reasonable or possible to alleviate the cause(s) of stress, the situation should be fully explored with the employee and

where necessary, the Council's sickness absence management arrangements should be used.

6 Evaluate the measures taken

Evaluate the effectiveness of the measures taken to minimise stress in terms of:

- whether the measures met the desired objectives
- the effect on the levels of stress in the service area

These two activities will also enable measures to be improved over time and enable resources to be effectively targeted.

A FINAL WORD

Dealing with staff stress is often a complex matter, needing sensitive handling. We hope that this booklet gives you a framework which will be useful in dealing with individual situations. Please contact Human Resources as early as possible when you encounter issues of staff stress, so that we can help you to plan effective strategies.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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