

## **Overview and Scrutiny Committee Monday, 12th July, 2010**

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Time:** 7.30 pm

**Democratic Services Officer:** Simon Hill, Senior Democratic Services Officer, The Office of the Chief Executive  
email: [shill@eppingforestdc.gov.uk](mailto:shill@eppingforestdc.gov.uk) Tel: 01992 564249

**Members:**

Councillors R Morgan (Chairman), K Angold-Stephens (Vice-Chairman), R Barrett, W Breare-Hall, Ms R Brookes, Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, Mrs S Jones, Mrs M McEwen, G Mohindra, J Philip and J M Whitehouse

**PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND**

### **WEBCASTING NOTICE**

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

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

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

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

#### **1. WEBCASTING INTRODUCTION**

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

2. The Chairman will read the following announcement:

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

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

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

**2. APOLOGIES FOR ABSENCE**

**3. SUBSTITUTE MEMBERS**

(Assistant to the Chief Executive). To report the appointment of any substitute members for the meeting.

**4. MINUTES (Pages 7 - 18)**

**Decisions Required:**

To confirm the minutes of the meeting of the Committee held on 1 June 2010.

**5. DECLARATIONS OF INTEREST**

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

In considering whether to declare a personal or a prejudicial interest under the Code of Conduct, Overview & Scrutiny members are asked pay particular attention to paragraph 11 of the Code in addition to the more familiar requirements.

This requires the declaration of a personal and prejudicial interest in any matter before an OS Committee which relates to a decision of or action by another Committee or Sub Committee of the Council, a Joint Committee or Joint Sub Committee in which the Council is involved and of which the Councillor is also a member.

Paragraph 11 does not refer to Cabinet decisions or attendance at an OS meeting purely for the purpose of answering questions or providing information on such a matter.

**6. CALL-IN - CABINET DECISION ON ADOPTION OF STANDARD CARAVAN SITE LICENCE CONDITIONS (Pages 19 - 80)**

To consider a call-in of the Cabinet’s Decision on ‘Adoption of Revised Standard Caravan Site Licence Conditions for Permanent Residential Sites (C-001-2010/11). Call-in papers and report are attached.

**7. REVIEW OF THE LOCAL STRATEGIC PARTNERSHIP**

To receive a presentation from the Local Strategic Partnership Manager, John Houston and the LSP Chairman.

Members should note that for background information, the LSP Annual Report had been published in the Council Bulletin dated 25 June 2010.

**8. O&S REVIEW - VALUE FOR MONEY, EQUALITY AND DIVERSITY (Pages 81 - 88)**

(Deputy Chief Executive) to consider the attached report.

**9. REVIEW OF DEBT AND MONEY ADVICE - PROGRESS ON IMPLEMENTATION (Pages 89 - 98)**

To receive a progress report on the Debt Management Review undertaken last year and reported initially to the Overview and Scrutiny Committee meeting in November 2009.

**10. ELECTION REVIEW REPORT (Pages 99 - 106)**

(Constitution and Member Services Standing Panel) to consider the attached report.

**11. MEMBER ROLE ACCOUNTABILITY STATEMENTS**

**Recommendation:**

That the Member Role Accountability Statement be referred to the Constitution and Member Services Standing Panel for their consideration.

Following a request from the Epping Forest Member's Remuneration Panel 5<sup>th</sup> Annual Report 2008/09 and 2009/10, and Council on 20 April 2010, that the Overview and Scrutiny Committee be asked to refer the Member Role Accountability Statements, which have been revised to reflect the changing role of members, to the Constitution and Member Services Scrutiny Panel with a view to recommendations being made for their adoption after consultation with the Remuneration Panel and the Standards Committee.

**12. WORK PROGRAMME MONITORING (Pages 107 - 126)**

**(a) To consider the updated work programme**

The current Overview and Scrutiny work programme is attached for information.

**(b) Reserve Programme**

A reserve list of scrutiny topics is required to ensure that the work flow of OSC is continuous.

OSC will 'pull out' items from the list and allocate them accordingly once space becomes available in the work plan following the completion of existing reviews.

Members can put forward any further suggestions for inclusion in the reserve list either during the meeting or at a later date.

Existing review items will be dealt with first, then time will be allocated to the items contained in the reserve work plan.

### 13. MEMBERSHIP OF THE FINANCE AND PERFORMANCE MANAGEMENT SCRUTINY STANDING PANEL

#### Recommendation:

That Councillor Jill Sutcliffe be appointed to the membership of the Finance and Performance Management Scrutiny and Standing Panel.

At the last meeting of the Overview and Scrutiny Committee there was one vacancy left to fill in the Finance and Performance Management Standing Panel. This was allocated to the Liberal Democrats Group. They have now nominated Councillor Sutcliffe and this Committee is asked to confirm that nomination.

- 13.1 **CCTV Delivery Plan** (Pages 127 - 176)  
(Safer Cleaner Greener Standing Panel) to consider the attached report.

### 14. CABINET REVIEW

#### RECOMMENDATION:

To consider any items to be raised by the Chairman at the Cabinet meeting on 19 July 2010.

(Assistant to the Chief Executive). Under the Overview and Scrutiny rules the Committee is required to scrutinise proposed decisions of the Executive. The Chairman is also required to report on such discussions to the Cabinet.

The Committee is asked to consider the 19 July 2010 Cabinet agenda (previously circulated) to see whether there are any items that they wished to be raised at the Cabinet meeting.

### 15. EXCLUSION OF PUBLIC AND PRESS

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

**Confidential Items Commencement:** Paragraph 9 of the Council Procedure Rules

contained in the Constitution require:

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

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

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

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

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## EPHING FOREST DISTRICT COUNCIL OVERVIEW AND SCRUTINY MINUTES

**Committee:** Overview and Scrutiny Committee      **Date:** Tuesday, 1 June 2010

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.30 - 9.05 pm

**Members Present:** Councillors R Morgan (Chairman) K Angold-Stephens (Vice Chairman of Council) (Vice-Chairman) R Barrett, W Breare-Hall, Mrs R Brookes, Mrs R Gadsby, Mrs A Grigg, D Jacobs, D C Johnson, J Philip and J M Whitehouse

**Other Councillors:** Councillors K Chana, Mrs D Collins, Ms J Hart, Mrs M McEwen, G Mohindra, Mrs M Sartin, Mrs P Smith, D Stallan, Mrs J Sutcliffe, Mrs L Wagland, C Whitbread, Mrs J H Whitehouse and D Wixley

### Apologies:

**Officers Present:** D Macnab (Deputy Chief Executive), K Durrani (Assistant Director (Engineering Services)), S G Hill (Senior Democratic Services Officer), P Tredgett (Information Assistant), A Hendry (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

**By Invitation:** S Jones (London Underground Ltd.)

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### 1. WEBCASTING INTRODUCTION

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

### 2. SUBSTITUTE MEMBERS

There were no substitute Members for the meeting.

### 3. DECLARATIONS OF INTEREST

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

### 4. MINUTES

#### RESOLVED:

That the minutes of the last meeting of the Committee held on 15 April 2010 be agreed.

### 5. LONDON UNDERGROUND LIMITED - PRESENTATION

The Committee welcomed Stephen Jones from London Underground Limited (LUL). He was there to update the Committee on the latest work being undertaken on the underground stations in the District. London Underground wanted to modernise the

stations and to make them safer places by adding CCTV, Public Address systems and Help Points. This project had been going on for the last four years and the works have just finished. LUL were in the planning stages for the 2012 Olympics and were in the early stages of planning and forecasting of demand. They were looking to complete the planning by 2011. LUL were also looking at the opening times of the ticket offices and were basing this on their survey of ticket sales. It was noted that only one in twenty tickets were bought at ticket offices, the rest were mostly Oyster card journeys. Given this they were looking to establish offices in the right place and to adjust ticket office opening hours. Their priority was to deliver a better service and provide assistance to passengers.

The meeting was then opened up to questions from members:

Councillor J Sutcliffe: Ticket office opening times, would the new times affect security for passengers in the evenings and help for passengers with problems with their tickets generally. During the Olympics their help would be needed to help foreign visitors staying in the area?

Mr Jones: LUL were presently looking at staffing and stations would not be undermanned, staff would be moved from the ticket office to other duties.

Councillor R Gadsby: Would not the upcoming Olympics need more people at stations?

Mr Jones: LUL would look at the manning of stations for that time; they would also need people with language skills.

Councillor Jon Whitehouse: Passengers would still need help with some tickets or when applying for travel/oyster cards etc. Also there was only step free access to platform 2 at Epping Station at present. And is there any plans for a Park and Ride scheme to be set up in our area.

Mr Jones: This would all form part of their forward planning.

Councillor R Brookes: She noted that the service from Loughton had got better but more crowded. As for Sunday closures of lines, there seemed to be no joined up planning over line closures for maintenance.

Mr Jones: There were a lot of closures but they do try and minimise disruption, but the scale of the works will mean that they will inevitably affect journeys.

Councillor R Brookes: Some indicator boards at Loughton have been out for a long time.

Mr Jones: The boards are not run manually; they are linked all the way down the line. I will find out what has been happening at Loughton and get back to you.

Councillor D Wixley: Who is responsible for cleaning up the litter in the car park at Loughton Station?

Mr Jones: He would look into it and get back to him.

Councillor A Grigg: She was concerned about the Epping and Ongar line and wondered if it could be reused. The new owners of the line had talked about turning it into a 'heritage line'. Are you aware of any approach that they may have made to LUL?

Mr Jones: He did not know, but he would find out and get back.

Councillor D Johnson: He was concerned that they were only just starting the planning for the Olympics – did they have enough time to do this.

Mr Jones: Planning had been going on for some time including modelling work; as they need to have plans in place for a 2011 test event.



Councillor D Johnson: How did you arrive at the figures for the ticket office closures?

Mr Jones: The opening hours were designed to reflect passenger numbers and their throughput in the station; a lot of work had gone into this. Looking at the purchasing patterns only one in twenty tickets was purchased at the ticket office, the other nineteen journeys were on Oyster Cards.

Councillor J Philip: He queried the opening hours at Theydon Bois as it may cause problems to the travelling public when closed. He was also concerned about the Station House at Theydon Bois; it had been allowed to deteriorate, could this be tackled.

Mr Jones: The changes in opening times were only proposals at present and they would consult about them. The public would not lose out on services. As for the Station House he would find out if there were any plans to refurbish it.

Councillor Janet Whitehouse: Who is responsible for parking at tube stations and are they aware of the shortage of parking at Epping Station. And, is there any progress being made towards substantially increasing the parking, such as a double-deck car park.

Mr Jones: There was an ongoing dialogue on the car parks, we know they are well used, but LUL are still at the early stages on this. He will find out more and report back in more detail.

Councillor D Collins: Are the stations to be fully manned in other ways despite the proposed restricted closing hours of the ticket offices.

Mr Jones: There will be staff available at the stations, but not necessarily at the ticket offices. There will be a staged consultation on this at some time.

Councillor P Smith: Previous presentations from LUL mentioned how hot the carriages got in the summer months, has it improved.

Mr Jones: The Central Line has a comparatively young fleet of trains (from 1992) but LUL are limited in what they can do to adapt them to take air conditioning units as there was insufficient tunnel height to take the units. By 2011 some work will have been carried on these trains including new windows and seats.

Councillor P Smith: Is there a scheme that includes using the Police for increased passenger safety.

Mr Jones: Passenger safety is always high on our list. This would include installing Help Points and CCTV. We can count on the Transport Police who will ensure they are in the right place at the right time.

Councillor J Sutcliffe: There are closed exits at Epping Station could they be opened; and could the closed eastbound exit at Buckhurst Hill station be opened as it is a long walk to/from the main entrance for people who live on the eastern side or who use the car park off Queens Road, and security should be less of a problem now that the CCTV is working in the underpass area.

Mr Jones: There are no plans at the moment to open the exits as we would have to deploy our staff to cover these. There would be a cost involved in staff and the installation of ticket reading machines. I understand what you are asking for but we need to make cost judgements on things like this.

Councillor W Breare-Hall: At Epping, why is the Oyster Card reader not in commission and why do trains come into platform 2 when there is no train on platform 1.

Mr Jones: Our aim is to get the majority of trains on to platform 1 so people do not have to walk. As for the Oyster Card reader it is has not been put into commission as it would have to be manned.

Councillor L Wagland: The signage has got worse over the years, they are not very clear. It is particularly bad at Mile End as the boards can't be read. There are also some safety concerns at Stratford where recent works have narrowed the platform edge, which now seems unsafe.

Mr Jones: There is a review taking place looking at the arrangement of signs at local stations. At Mile End there are works taking place at present, the same goes for Stratford Station. The Platform width does comply with safety standards, but I will check these out and get back to you.

Councillor D Jacobs: The older trains were quieter, will the new stock be as quiet.

Mr Jones: We will look at any lessons learnt when we replace them. But it will be a number of years before we replace the current stock on the Central Line.

Councillor D Jacobs: Are there any plans that LUL would sanction a connection with the Epping/Ongar line coming into platform 2 at Epping station.

Mr Jones: He was not aware of any plans about this, but will check if any dialogue has been opened up.

Councillor M McEwen: Rural commuters beyond Ongar tend to drive to Theydon Bois or Debden and take the underground into London. They have no where to park at these stations so tend to park in the surrounding roads, which have yellow lines. Are you aware of this problem?

Mr Jones: I will be happy to report back on this.

Councillor R Barrett: Discussions on parking have been going on for about three years. It may be that with increased parking, the underground could not cope with the extra capacity. The Oyster card also encourages more people to use the system. Tube lines in rural locations are important and we can work with LUL on parking. Can you tell us what are the traffic volume trends for each line? Can we get more trains on each line? What is the volume at peak periods on each line and can the lines cope. And how can the Council work with you on parking issues?

Mr Jones: I will have to check with colleagues on parking issues. As for capacity, the Central line is a modern fleet at maximum capacity; we cannot lengthen the platforms but we do have a new signalling system and are looking at how we can get the most from that line. As for the capacity on the lines, I will have to check the figures for the central line. It has recently taken a dip (because of the recession) but we are looking at a long term increase in passenger numbers.

Councillor Janet Whitehouse: What about the ticket office consultation?

Mr Jones: There will be consultations with the staff and the trade unions following the changes in the ticket purchasing habits of the public.

Councillor Jennie Hart: There were problems with parking at Debden station and in the surrounding streets. We need more parking spaces at the stations as there was restricted parking on the streets.

Mr Jones: I will find out for you if there are any plans.

Councillor R Barrett: I can't see what can be done about parking; it is not a problem that can be solved quickly.

Mr Jones agreed that parking was a difficult problem to solve.

Councillor J Sutcliffe: Was there a possibility of keeping talks open on some form of extension of the Freedom Pass to all stations on the Central line, maybe a limited use permit such as one free journey per month, allowing it for the over 70's to start with.

Mr Jones: There are discussions between LUL, the London Boroughs and TfL; there may be an opportunity to open a dialogue on this there.

The Chairman thanked Mr Jones for his presentation and for answering the questions posed. He noted that any answers to any questions not answered that night would be put in the Members Bulletin on their receipt.

## **6. REVISION OF THE TERMS OF REFERENCE FOR THE SAFER CLEANER GREENER STANDING SCRUTINY PANEL**

The Committee considered a report from the Safer Cleaner Greener Standing Panel to make a minor alteration to their terms of reference deleting the reference to the West Essex Joint Waste Management Committee and replacing it with references to the Waste Partnership Member Board and the Inter Authority Member Working Group.

### **RESOLVED:**

That the amendment of clause 2 of the Terms of Reference of the SCG Standing Panel to reflect changes in the Member monitoring arrangements of the Essex Waste Strategy by deleting the reference to the West Essex Joint Waste Management Committee and replacing it with references to the Waste Partnership Member Board and the Inter Authority Member Working Group be agreed.

## **7. PETITIONS - NEW SCHEME**

The Constitution and Member Services Standing Panel asked that it be allowed to report directly to the Council meeting on 29 June 2010, on the Government's consultation on petitions and the new 'e-petition' scheme. This would mean bypassing this Committee as they were under time constraints to reply. The Standing Panel will have to consider the legislation and make recommendations for the amendment of the Council's Constitution to deal with the new rules and regulations.

### **RESOLVED:**

That the Overview and Scrutiny Committee authorise the Constitution and Member Services Standing Panel to report directly to full Council on the proposed new petition scheme at the end of June due to time constraints.

## **8. DEFRA CONSULTATION ON LANDFILL**

The Assistant Director (Engineering Services), K Durrani introduced the report from the Safer Cleaner Greener Standing Panel. They had considered the Defra consultation document on landfill at their last meeting (29 April 2010). The consultation paper was on the possibility of banning certain materials from landfill and the steps which might be required to achieve that.

The consultation document was seeking responses to the following policy options: do nothing; landfill bans with a requirement to pre-sort; or payment based on producer

responsibility. The Standing Panel considered and endorsed a generalised response to six detailed questions asked by the consultation paper.

On consideration, the Overview and Scrutiny Committee endorsed the Safer Cleaner Greener Panel's recommended response.

**RESOLVED:**

That the Safer Cleaner Greener Standing Scrutiny Panel's recommended response to the Defra consultation paper on landfill as set out in their report be agreed.

**9. WORK PROGRAMME MONITORING**

**(a) Work Programmes**

Overview and Scrutiny Committee

The Senior Democratic Services officer, Simon Hill took the committee through their proposed work programme for the coming year.

Constitution and Member Services:

Members asked that item 8 on their work programme, member training review, be considered earlier than the schedule date of March 2011. Officers agreed that this could be done.

Councillor Jon Whitehouse said that the recent problems with the parking reviews should be looked at by a panel to assimilate any lessons learnt. Mr Hill advised that he should complete a PICK form and have it discussed at the next Overview and Scrutiny meeting.

**(b) New Year's Work Programme**

The Committee considered the two items circulated as a supplementary agenda requesting two more items of work to be added to the work programme.

(i) The first item was a request from Councillor Mrs D Collins to review the way annual appointments were made by the annual council meeting at the start of each year. This would also include a review of the appointment of Chairman and Vice Chairman of the Council.

**AGREED:** that this item of work should be given to the Constitution and Member Services Standing Scrutiny Panel and added to their work programme.

(ii) The second item was a request from Councillor C Whitbread for a review of the opportunities for setting up of assistants to Portfolio Holders so as to assist with Portfolio Holder duties and aid succession planning.

**AGREED:** that this item also be given to the Constitution and Member Services Standing Scrutiny Panel and added to their work programme.

**(c) Reserve Programme**

There were no items to add to the reserve programme.

## **10. APPOINTMENT OF MEMBERSHIP TO STANDING PANELS**

The Committee were asked to make appointments to Standing Panels in accordance with the Overview and Scrutiny rules. The Committee were reminded that the Council had agreed pro rata applied to Standing Panels and that membership should be kept to a minimum to allow each Group to have representation. It was noted that on this basis it had been agreed by group leaders that Panels would consist of 11 Members, plus any independent member that wished to be a member of a Panel.

It was reported that nominations to Chairman and Vice Chairman to Standing Panels were excluded from the pro rata calculation rules required for such positions contained in the Council's constitution.

The Committee had before them a tabled paper detailing nominations to the Panels.

### **RESOLVED:**

That the appointments to Standing Panels annexed to these minutes be adopted.

## **11. APPOINTMENT OF MEMBERSHIP TO TASK AND FINISH PANELS**

The Committee were asked to consider appointments to the new Task and Finish Panel.

It was noted that any Member could be appointed to Task and Finish Panels. However Cabinet Members would not be able to serve on panels which bore directly on their Portfolio. In addition no panel could comprise of members of a single political group and restrictions on numbers did not apply.

Members were also asked to appoint a Chairman and Vice Chairman to each Panel.

The meeting had before them a tabled schedule detailing nominations.

### **RESOLVED:**

That the appointments to Task and Finish Panel annexed to these minutes be adopted.

## **12. CABINET REVIEW**

1. Councillor Mrs Collins updated the Committee on the latest government proposed changes to planning policy; they will now concentrate on enabling more local decisions. A lot of Quangos have been or are about to be disbanded, including the Audit Commission and Gypsy and Traveller issues are to be dealt with locally. Details are to be issued in the Members Bulletin.

2. The Deputy Chief Executive explained that there were some problems with the Parking reviews and the cost of advertising them. A late updating report will go out to the Cabinet by the end of the week.

## **13. UPCOMING PRESENTATION FROM THE LOCAL STRATEGIC PARTNERSHIP**

It was noted that the LSP manager would attend the next meeting of this Committee. Members decided that they needed information from the LSP manger on what areas he would cover at his presentation. To this end the LSP annual report will be

circulated to members of the Committee to give them an idea of the subjects to be covered.

Councillor Jacobs said he would like an update on the Ongar Health Centre, Mr Macnab said he would put an answer in the Members Bulletin.

**CHAIRMAN**

## Overview and Scrutiny Panels Nominations for 2010/11

### Standing Panels

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#### Constitution and Member Services Panel

##### Member Nominations –

**Conservative Group (7):** K Chana; Mrs McEwen; Ms J Hedges; J Philip; Mrs M Sartin; D Stallan ; Ms C Edwards.

**Liberal Democrats Group (2):** Mrs J Sutcliffe; Mrs J Whitehouse

**LRA Group (2):** J Markham, R Cohen

**Other Nominations:** none

**Chairman – Mrs M McEwen**

**Vice-Chairman – K Chana**

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#### Finance and Performance Management

##### Member Nominations –

**Conservative Group (7):** B Judd; D Johnson; G Mohindra; J Philip; W Pryor; Mrs S Watson, W Breare-Hall

**Liberal Democrats Group (2):** D Jacobs; (+1 Vacancy)

**LRA Group (2):** Mrs R Brookes, R Cohen

**Other Nominations:** none

**Chairman – G Mohindra**

**Vice-Chairman – R Cohen**

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#### Housing

##### Member Nominations -

**Conservative Group (7):** Mrs R Gadsby; Mrs J Lea; Mrs A Grigg; A Lion; R Barrett; Ms J Hedges; Ms S Jones

**Liberal Democrats Group (2):** Mrs J Whitehouse; D Dodeja

**LRA Group (2):** Ms J Hart, L Leonard

**Other Nominations:** S Murray

**Chairman – S Murray**

**Vice-Chairman – Mrs R Gadsby**

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## **Safer, Cleaner, Greener**

**Member Nominations –**

**Conservative Group (7):** W Breare-Hall; A Boyce; Mrs C Edwards; Mrs S Jones; B Judd; Mrs J Hedges; G Mohindra

**Liberal Democrats Group (2):** D Jacobs; P Spencer

**LRA Group (2):** Mrs C Pond, Ms T Cochrane

**Other Nominations:** none

**Chairman - Ms C Edwards**

**Vice-Chairman – Mrs J Hedges**

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## **Planning Services**

**Member Nominations –**

**Conservative Group (7):** Mrs A Grigg; Mrs S Jones; Mrs McEwen; W Prior; J Philip; A Watts; H Ulkun.

**Liberal Democrats Group (2):** Mrs P Brooks; J M Whitehouse

**LRA Group (2):** C Finn, J Markham

**Other Nominations:** none

**Chairman – J Philip**

**Vice Chairman – H Ulkun**



**Task and Finish Panels for 2010/11  
Draft Nominations for Membership**

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**Children Services Task and Finish Panel**

(No pro-rata on T&F Panels)

**Members –**

**Conservative Group:** Mrs R Gadsby; Mrs J Hedges; J Knapman, Mrs L Wagland

**Liberal Democrats Group:** Mrs P Brooks

**LRA Group:** Mrs R Brookes, Ms T Cochrane

**Other Nominations:** none

**Chairman:** Mrs L Wagland

**Vice Chairman:** to be appointed at first meeting

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## **Report to Overview & Scrutiny Committee**

**Date of meeting: 12 July 2010**

**Portfolio:** Housing.

**Subject:** Adoption of Revised Standard Caravan Site Licence Conditions for Permanent Residential Sites.



**Officer contact for further information:** Adrian Hendry / Sally Devine

**Committee Secretary:** Adrian Hendry – Ext 4246

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

To consider the call-in of Cabinet decision C-001-2010/11 regarding the adoption of the Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council.

### **Report:**

1. In accordance with rule 20 of the Overview and Scrutiny Rules 5 members have called in the Cabinet's decision, taken on 7 June 2010 and published on 15 June 2010. This decision relates to the Cabinet's decision to adopt the Standard Caravan Licence Conditions.
2. The Chairman of the Overview and Scrutiny Committee determined that consideration of the call should be referred to this meeting of the Overview and Scrutiny Committee.
3. Attached to this report are:
  - (a) Copies of all documentation submitted to the Cabinet on which the decision was based (including a statement from the Abridge Park Resident's Association);
  - (b) A supplementary report written for this call-in. Its purpose is to pick up issues raised and discussed at Cabinet (and therefore not in the original report) that have a bearing on the call-in.
  - (c) A copy of the written notification of the call in including the names of the relevant Councillors who requested the call in and their grounds for so doing; and
  - (d) A copy of an extract of the Council's procedures for dealing with call-ins.

### **Consideration of the Call – in**

4. In accordance with the Council's Protocol (attached) the consideration of call-ins by the Committee should be considered in the following manner:
  - (a) the representative of the Councillors calling in the decision shall describe their concerns;
  - (b) the Portfolio Holder shall then respond;

- (c) the Overview and Scrutiny Committee or delegated Panel will then debate the issues involved. The Chairman of the meeting shall have the discretion to vary the way in which evidence is gathered including speakers and public participation if appropriate but shall seek a response from the initiating Councillor(s) and the Portfolio Holder before formulating its recommendations;
- (d) The Overview and Scrutiny Committee or delegated Panel has the following options:
- (i) confirm the decision, which may then be implemented immediately, or
  - (ii) refer the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
  - (iii) refer the matter to full Council in the event that the Committee or Panel considers the decision to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.
- (e) If it appears that the review of a decision of the Executive cannot be completed at one meeting, the Executive or decision taker will be informed, indicating any preliminary views the Committee or Panel may have and a proposed timescale for the completion of the review. The Chairman of the Overview and Scrutiny Committee/Panel shall, if necessary, consult with the Leader of the Council regarding the urgency of the proposed decision or any other related matter;
- (f) The Chairman of the Overview and Scrutiny Committee or delegated Panel shall sum up the recommendations to be submitted to the Executive and these shall be incorporated in full in the Minutes or report of the meeting;
- (g) In cases where the Overview and Scrutiny Committee or delegated Panel determines that a review of the decision is not justified or that, having reviewed the decision of the Executive, it has no adverse comment to make, the Committee or Panel shall ensure that its decision is published in the Members' Bulletin;
- (h) In the circumstances outlined in (g) above, the decision of the Executive or Decision Taker may be implemented with effect from the date of that meeting;
- (i) A report detailing any appropriate recommendations of the Overview and Scrutiny Committee or delegated Panel shall be reported to the Decision Taker
- (j) In presenting the recommendations of the Overview and Scrutiny Committee or delegated Panel, the Chairman may make general comments on the Committee's / Panel's recommendations, answer questions and respond to comments or new proposals made by the Executive at that meeting; and
- (k) The report of the Overview and Scrutiny Committee or delegated Panel shall be sent in draft to all its Members for approval prior to their submission to the Decision Taker.
- (l) Minority reports may be made by members of Overview and Scrutiny Committee or delegated Panel in accordance with the Protocol for that purpose.

5. If, having considered the decision, the Overview and Scrutiny Committee or delegated Panel is still concerned about it, then it may, subject to the procedures outlined in Rule 16(a) or (b) in attached, refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further 5 working days, or in the case of a Cabinet decision, as soon as practically possible amending the decision or not, before adopting a final decision.

6. If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no power to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision-making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive as a whole or a committee of it, a meeting will be convened to reconsider within 14 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 14 working days of the Council request.

7. If the Council does not meet, or if it does but does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

8. The Committee are asked to consider the decision taken by the Cabinet and report accordingly.

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## **Report to the Cabinet**

**Report reference: C-001-2010/11**

**Date of meeting: 7 June 2010**



**Epping Forest  
District Council**

**Portfolio: Housing**

**Subject: Adoption of Revised Standard Caravan Site Licence Conditions  
for Permanent Residential Sites**

**Responsible Officer: Sally Devine (01992 564149).**

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

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

- (1) That the revised 'Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' attached at Appendix 2 be adopted; and,**
- (2) That financial assistance in the form of the Council's Handyperson Service and the Small Loans Scheme be made available to residents that qualify, to assist them in complying with conditions related to the removal / replacement of sheds, fences and hedges.**
- (3) That following a second consultation exercise, site licence conditions based on these standard site licence conditions be also applied to Gypsy & Traveller sites that have planning permission as permanent residential caravan sites.**
- (4) To note that in due course it is intended that holiday sites will be similarly licensed in accordance with the relevant model standards.**

### **Executive Summary:**

It is a statutory requirement for local authorities to issue licences on all their mobile homes sites and to decide what conditions to attach. In 2008, the Government produced new standards for permanent residential mobile homes sites, providing a framework upon which Councils can base the conditions they attach when re-licensing sites.

The Council's current standard site licence conditions have not been revised for many years and it is considered that it would now be appropriate to set new conditions for the permanent, residential sites that are in line with these national 'model' standards, but also include minor variations to take account of local circumstances and historic agreements.

Following a consultation exercise 'Standard Caravan Site Licence Conditions for Residential Sites in Epping Forest District Council' have been drafted and these are attached as an addendum to this document. Members are asked to agree these conditions so that they can be issued to all site owners of existing residential mobile home sites on the District.

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

The existing site licence conditions for caravan sites in Epping Forest District have not been reviewed for many years. New proposed standard caravan site licence conditions for permanent residential sites have been drafted to ensure conditions are relevant, consistent and will adequately protect the health and safety of people residing at, or visiting, sites within the District.

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

The option of not setting new licence conditions and allowing the remaining ones to remain in place has been discounted as the existing conditions are outdated and such an approach would compromise the health and safety of those living on or visiting mobile home sites.

The option of imposing new conditions when a site is licensed with a new owner has been discounted as this would result in improvements only being made when sites changed ownership. Such an approach would also mean that standards across the District would be inconsistent.

### **Report:**

1. It is a statutory requirement under Section 5(6) of the Caravan Sites and Control of Development Act 1960 for local authorities to issue licences on all their mobile homes sites and to decide 'what (if any) conditions to attach'. This applies to all mobile homes sites, including permanent residential sites, static holiday and touring caravan sites. There are currently 16 residential sites, 5 agricultural and 5 holiday sites on the District, the two largest of which are licensed for 250 and 209 units each. Site licence conditions cover health, safety and fire prevention issues and it is an offence for the site owner to fail to comply with the conditions set. An example of a current set of site licence conditions is attached at Appendix 1.

2. The Cabinet is advised that for legislative purposes the term 'caravan site' is used. However, this is synonymous with the terms 'mobile home' and 'park home' which are more appropriate descriptions of the permanent residential sites now found, and are terms preferred by site owners and residents.

3. In order to ensure that conditions are relevant and are in line with current legislation and guidance it is necessary to review and update conditions from time. The Council's current standard site licence conditions are outdated and have not been revised on many sites for some 30 years. For example, the introduction of the Regulatory Reform (Fire Safety) Order 2005 means that some fire related conditions that previously lay with the Council to enforce, are now the responsibility of the Essex Fire Authority.

4. In April 2008, the Government produced new standards for permanent residential mobile homes sites, the 'Model Standards 2008 for Caravan Sites in England', providing a framework upon which councils can base the conditions they attach when re-licensing sites. The model standards incorporate changes in legislation and regulatory practice such as those outlined above. It is therefore now considered appropriate to set new standard licence conditions for the Council's permanent residential sites in line with these national model standards but also including minor variations that take account of local circumstances and historic agreements. The proposed 'Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' is attached as at Appendix 2.

5. Before amending any site licence the Council is obliged to consult the owner of the park home site and other relevant parties. A consultation process has been undertaken on the Council's behalf by a specialist consultant, Park Homes Legal Services Ltd, on suggested new



site licence conditions for the District. The consultation took into account the government's guidance, 'Local Authority Licensing of Park Home Estates' and included site owners and residents associations, other interested parties such as Council Planning Officers, Essex Fire and Rescue Service, the Environment Agency and the Health and Safety Executive.

6. Responses have been received from:

- (a) The site owners of The Elms Park Home Site and the Abridge Park Home Site;
- (b) The Abridge Park Residents Association;
- (c) The Environment Agency; and
- (d) Essex Fire and Rescue Service.

7. Their comments have been considered and where appropriate the draft conditions have been modified accordingly. The site owners and residents association's concerns centre principally around issues of the positioning of sheds, fences and hedges between homes. The Fire Service advised that condition 4(vi)(g) be modified to prohibit hedges within 3 metres of an adjacent caravan; the Environment Agency advised rewording condition 14 relating to Domestic Refuse Storage and Disposal in line with this Council's waste disposal arrangements;

8. Existing standards and the new model standards set requirements on maintaining a 'separation space' between mobile homes, predominantly to reduce the risk of the spread of fire from one unit to another. A condition already exists in current licence conditions prohibiting combustible sheds within the separation space but the new model standards extends this to include fences and hedges in response to the recommendations produced in the British Research Establishment Information paper relating to fire spread between caravans (BRE IP15/91). The proposed 'Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' includes conditions relating to combustible sheds, fences and hedges (conditions 4(vi)(e) and (g)).

9. Over the years some residents have installed structures that did not comply with their existing site licence conditions and will not comply with the new conditions. Limited Council staff resources have meant that sometimes these contraventions have not been picked up. During the consultation, however, concerns were raised by residents of one mobile home site in particular, relating to non-compliant structures which will have to be removed at their own cost. In recognition of the fact that many occupiers of residential park home sites are older people with limited finances it is proposed that while the conditions relating to sheds, fences and hedges should remain, financial assistance in the form of the Council's Handyperson Service and the Small Loans Scheme will be made available to those who qualify. The Handyperson Scheme provides a grant of up to £250 for older people on benefits and the Small Loan Scheme will help by providing an interest free loan.

10. The Table below shows the differences between the model standards and the proposed new site licence conditions and outlines the reasons the changes were made.

*Comparison between 'Model Standards 2008' and 'Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council'*

<b>Structure</b>	<b>Model Standards 2008</b>	<b>Proposed EFDC</b>	<b>Reasons</b>
<b>Porches</b>	<b>2(vi)(a).</b> Dimensions are restricted; only one door allowed to either porch or home.	<b>4(vi)(a).</b> Dimensions restricted as for model stds; to allow door on porch and home if mains	Allowing two doors improves thermal efficiency and gives extra storage

		linked smoke detector installed.	provision; smoke detector mitigates fire risk.
<b>Sheds</b>	<b>2(vi)(c).</b> Any structure extending more than 1m into the separation distance between mobile homes to be non combustible.	<b>4(vi)(e).</b> Any shed within the separation distance must be non combustible. 6 months to comply.	This is a common contravention on many sites. Specific condition put in place for clarity.
<b>Fences and Hedges</b>	<b>2(vi)(f).</b> Maximum 1m high between adjacent caravans.	<b>4(vi)(g).</b> as for model stds; plus hedges not permitted within 3m of adjacent caravan.	Recommendation from Essex Fire Service and BRE IP15/91: hedges increase the fire load and potential for fire transfer from home to home.
<b>Domestic Refuse Storage and Disposal</b>	<b>12.</b> General storage and disposal requirement.	<b>14.</b> Domestic waste to use EFDC facilities; waste from common parts is commercial waste.	Clarifies requirements for EFDC.

11. If Members agree to adopt the proposed site licence conditions as the 'Standard Caravan Site Licence Conditions for Residential Sites in Epping Forest District Council', new site licences will be issued to all site owners of existing residential caravan sites together with an explanatory guide to the conditions. A new Technical Officer will be employed as agreed by the Cabinet on 16 November 2009 (Ref: C-052-2009/10) to issue and enforce the new site licences. It is recognised that a reasonable time period needs to be allowed for compliance with the more high risk matters being dealt with first. Note (a) to the Schedule of Conditions will allow 'for site owners to agree a scheme of work or time span within which the site will be brought back into compliance with the conditions'.

12. The Government's Model Standards 2008 for Caravan sites in England excludes Gypsy/Traveller sites. However, several sites in the District have Planning Permission to be occupied by Gypsy families on a permanent, residential basis and these sites are currently licensed in accordance with the existing licence conditions for our residential sites. In recent months several new Planning applications have been received from Gypsy families on unauthorised sites wanting to legitimise them. It is proposed that a second consultation process will involve these sites with the objective that the Epping Forest Model Standards be extended to include Gypsy sites that are occupied on a permanent residential basis.

13. Separate model standards exist for holiday caravan sites (revised 1989). A review of our existing licence conditions for these sites, to bring in line with the 1989 model standards, is proposed in due course.

#### **Resource Implications:**

A new part time Technical officer post is approved to specifically issue new site licences and enforce the standard conditions

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

Caravan Sites and Control of Development Act 1960  
Model Standards 2008 for Caravan Sites in England

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

Adopting new standard conditions in line with the Governments Model Standards 2008 for Caravan Sites in England will ensure measures are in place to protect the health and safety of residents on permanent residential mobile home sites.

### **Consultation Undertaken:**

Specialist Consultants Park Homes Legal Services have carried out the consultation process and produced the draft standard conditions

### **Background Papers:**

The British Research Establishment Information paper IP15/91 relating to fire spread between caravans

### **Impact Assessments:**

#### Risk Management:

Failure to set and ensure compliance with appropriate licence conditions would compromise the health and safety of residents on permanent residential mobile home sites by limiting the control measures that may be imposed.

#### 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.

**Example of a current set of Site Licence Conditions for Permanent Residential Caravan Sites in Epping Forest District Council.**

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**CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960  
SCHEDULE OF CONDITIONS**

**Density and Space between Mobile Homes**

1. The gross density of the park shall not exceed 20 mobile homes to the acre. The licence shall only apply to that parcel of land in respect of which planning permission has been obtained to station mobile homes for residential occupation. The number of mobile homes shall not exceed 35 plus one unit occupied by a person employed by licensee for Management purposes.
2.
  - (a) Every mobile home shall be not less than 20 feet from any other mobile home in a separate occupation.
  - (b) Application in writing to the Local Authority to reduce this distance to not less than 18 feet may be made when the following circumstances apply:
    - (i) Where a mobile home not to the standard defined in condition 5 is to be replaced by a mobile home meeting that standard, and
    - (ii) It is not possible to re-position adjoining mobile homes in order to maintain a 20 foot distance, and
    - (iii) The average distance between mobile homes on the park is not less than 20 feet. Distances in excess of 20 feet provided by reason of vacant sites, roads, footpaths, buildings, recreation areas or open spaces not to be included when the average distance is calculated.
  - (c) The distance between units shall not be reduced until formal approval in writing has been received from the Local Authority.
3. Every mobile home shall not be less than 10 feet from any carriageway used by vehicular traffic, and not less than 10 feet from any site boundary or 5 feet if the external surface of the mobile home complies with BS.3632 and is of non-combustible material.

**Prevention of Overcrowding**

4. No mobile home shall be used to accommodate a number of persons in excess of the number of bedrooms installed by the manufacturer, except for a child below the age of 3 years accommodated in a cot, or a number of persons in excess of the following standard:
  - (a) Adults and children over 10 years of age – 50 square feet of floor space per person.
  - (b) Children from birth to 10 years of age, for the first two, 25 square feet each. Any in excess of two, 50 square feet each.

- (c) Except for married couples and children under 10 years of age, separate sleeping compartments for persons of opposite sex.
- (d) No sleeping compartment for adults to be less than 6 feet 3 inches in any one plan dimension.

### **Replacement of Mobile Homes**

5. When an existing mobile home on the park is replaced the mobile home replacing or any mobile home brought onto the park for residential occupation shall:
- (a) If a new mobile home meets the standards of British Standard 3632:1963 as revised. Compliance with this standard may be recognised by the badge issued under the scheme operated by the National Caravan Council, and
  - (b) Only accommodate the number of persons for which it was originally designed and constructed, and
  - (c) Be provided with a wash-hand basin, a bath or shower, a sink, and a hot water system sufficient to supply all these fittings, and
  - (d) Be provided with a W.C. and
  - (e) Have a connection to mains electricity on the parks to the standards recommended by the Local Electricity Board.
  - (f) Each new unit to be fitted with an approved fire extinguisher.
6. The park operator shall keep a register dating mobile home movements with access for Local Authority Officers to examine such registers.

### **Porches**

7. Any person who wishes to erect a porch or conservatory type extension onto a mobile home shall submit plans to the Local Authority for approval. Unless such agreement is given in writing the Local Authority reserve the right to require the person responsible to remove any such structure.

### **Hard Standings**

8. Every mobile home shall stand on a hard standing of concrete which shall, except that a centre section of hogging or similar material to allow for flexibility of toilet and waste water connections will be permitted, extend over the whole area occupied by the mobile home 'and shall extend 2'6" outwards to form a footpath leading to the main entrance of the unit and to the storage facilities.

### **Water Supply**

9. The site shall be provided with a water supply complying with British Standard Code of Practice C.P.310 (1952).
10. Every mobile home shall be provided with and connected to a sufficient and wholesome piped water supply.

## **Storage Space**

11. At least 30 square feet of covered storage space shall be provided for each mobile home standing. The structures to be separate from the mobile homes they serve and unless constructed of non-combustible materials to be at least 13 feet from any other mobile home. The structures to be capable of being locked.

## **Refuse Disposal**

12. Every mobile home shall be provided with a proper refuse receptacle, of at least 2<sup>1</sup>/<sub>4</sub> cubic feet capacity, fitted with a close fitting lid. Access arrangements shall be made for regular emptying.

## **Drainage, Sanitation and Washing Facilities**

13. The park shall be provided with a foul drainage system connected to a public sewer. If this is not possible the system to be connected to a properly constructed treatment plant, septic tank or cesspool as approved by the Local Authority.

14. Every mobile home standing shall be provided with a connection to the foul drainage system and the connection shall be made airtight when not in use.

15. Adequate provision for the surface water drainage of carriageways, footpaths, paved areas and the site generally shall be made.

16. There shall be provided facilities on the following scale for mobile homes without such facilities, unless alternative arrangements are agreed in writing with the Local Authority.

### **(a) W.Cs**

Male: 1 W.C. plus 1 urinal per 15 mobile homes or part thereof.  
Female: 2 W.Cs per 15 mobile homes or part thereof.

The W.Cs shall be not more than 100 feet from any mobile home for which this facility is provided.

There shall be provided a wash-hand basin with hot and cold water to every W.C.

### **(b) Baths or showers**

There shall be provided a bath or shower with hot and cold water for each sex per 20 mobile homes. Hours of opening for such unit to be agreed in writing with the Local Authority.

### **(c) Laundry Facilities**

There shall be one automatic washing machine per 75 mobile homes or part thereof.

## **Fire Precautions**

17. If a water supply of sufficient pressure and flow is available a fire hydrant

conforming to B.S.S. 750 shall be provided. Fire hydrants and any associated bypass valves shall be clearly indicated by standard marking plates and shall be situated within 300 feet of any unit.

18. In addition, there shall be provided fire points, each equipped with a water tank provided with a hinged cover, two buckets and one hand or bucket pump on the scale of one such point for every two acres or part of two acres. Provided that on parks with no hydrants, each water tank shall contain at least 100 gallons of water and shall be situated not more than 100 yards from any mobile home; or as an alternative.

19. There may be provided a fire alarm and fire points and extinguishers in accordance with the following scale:

<b>No of Mobile Homes</b>	<b>No of Fire Points</b>	<b>Equipment</b>
Under 12	1	1 x 2 gallon water (soda/acid) or water (gas pressure) extinguishers 1-10 lb. dry powder extinguisher
12 – 50	2	2 x 2 gallon water extinguishers as above. 2-10 lb. dry powder extinguishers at each point
50 and above	2 fire points and then 1 to every 50 or part thereof	2 x 2 gallon water extinguishers as above. 2-10 lb. dry powder extinguishers at each point

Adequate measure shall be taken to prevent water type extinguishers from freezing.

One gallon size water extinguishers may be found easier to handle. If this size is preferred two such extinguishers shall be provided in place of each 2 gallon size specified, or as a further alternative.

20. There may be provided in an approved position a fire alarm and a  $\frac{1}{2}$  inch heavy duty hose pipe, sufficiently long to reach any mobile home from the nearest tap, fitted with a nozzle and screw attachment. Such standpipe taps to be within 60 feet of every mobile home and to be adequately protected against frost.

21. All fire points shall be clearly marked and easily accessible in case of fire.

22. Bottled gas stores shall be well ventilated and constructed of non-combustible materials and be sited a minimum of 20 feet from other risks. A fire point shall be provided near, but not in the store. Such stores to be constructed to the Local Authority's specification. Empty cylinders to be stored within such stores and not in the open.

23. When possible a telephone shall be available on the park.

24. A notice giving the following information shall be prominently displayed and protected against inclement weather.

- (a) Telephone number of fire brigade
- (b) The position of the telephone on the park, or the nearest telephone
- (c) Situation of the fire alarm and the fire points
- (d) Appropriate action to take in case of fire

(e) A copy of the Schedule of Site Licence Conditions

25. Mobile home leg braces and towing brackets shall be readily accessible. Wheels shall not be removed.

26. Bonfires and the burning of rubbish in dustbins is prohibited.

27. Nothing shall be stored beneath mobile homes. The area beneath mobile homes shall be kept clear. Where units are boarded in adequate ventilation and access must be provided.

28. There shall be access to within 150 feet of any mobile home by fire appliances.

29. The park entrance shall be adequately signposted to facilitate identification.

### **Roads and Footpaths**

30. Roads of concrete, tar macadam or other similar hard, permanent material shall be provided so that no mobile home or communal facility is more than 150 feet from a road. Such roads to be not less than 13 feet wide, or if they form part of a one way system, 9 feet wide. Such roads to be properly maintained at all times.

31. No parking on site roads shall be permitted.

32. One way traffic systems shall be adequately signposted.

33. Each mobile home main entrance door and any communal facility shall be connected to a road by a footpath of concrete, tar macadam or other similar hard permanent material. The footpaths shall be not less than 2 feet 6 inches wide.

### **Lighting**

34. Adequate lighting of carriageways, footways and communal facilities shall be provided as necessary.

### **Car Parking**

35. Suitably surfaced parking places shall be provided with space for at least one car per mobile home standing with additional space set aside for visitors as required.

### **Recreation Space**

36. Space equivalent to one tenth of the total area of the park shall be allocated for childrens games and other recreational purposes. Such area to be fenced off, signposted and maintained in a satisfactory condition.

### **Park Maintenance**

37. The park operator is required to maintain the park and all facilities in a clean and satisfactory condition.

### **Noise**

38. No musical instrument, radio, record player, petrol engine generator or any



noisy equipment shall be used or operated to the prejudice of other persons at any time.

**Definition -** Mobile Home includes caravan as defined by Caravan Sites and Control of Development Act 1960.

**Draft 'Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council'**

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**STANDARD CARAVAN SITE LICENCE CONDITIONS FOR PERMANENT RESIDENTIAL SITES IN EPPING FOREST DISTRICT COUNCIL**

**CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960**

**SITE LICENCE CONDITONS – PERMANENT RESIDENTIAL SITES**

**(Name of Site)**

**Schedule of Conditions**

**Notes:**

- (a) The term, 'caravan', 'mobile home' and 'park home' is interchangeable when the structure complies with the legal definition of a 'caravan' in accordance with Section 29 of the Caravan Sites and Control of Development Act 1960 (as amended). The term 'caravan' will be used throughout this document.
- (b) These licence conditions apply to caravan sites used for the siting and occupation of caravans used as the occupiers permanent residence. Where a residential caravan site contains both residential mobile homes and static holiday caravans, these residential conditions shall apply.
- (c) Where previous licence conditions conflict with the conditions in this licence, the owner shall agree with the local authority a scheme of work or time span within which the site will be brought into compliance with the conditions contained in this licence.
- (d) Existing porches attached to caravan structures which do not comply with these conditions will be tolerated until the mobile home is eventually replaced. If, by virtue of size, form of construction, condition, location or other reason the Council considers an existing porch to be a fire risk or to offer some other potential danger, they may require the porch to be modified. From the date of this licence, all new porches if permitted will need to comply with Condition 4(iv)(a) beneath.

## **1. General**

- (i) ( ) site is licensed for a maximum of ( ) residential caravans;
- (ii) All residential caravans sited must be manufactured in accordance with the version of BS 3632: 'Residential park homes – Specification' applying at the time of siting or replacement;
- (iii) No caravan may be occupied by numbers of persons in excess of that for which the caravan was designed to accommodate.

**2.** This Licence shall only apply to that area of land in respect of which planning permission has been obtained to station caravans for permanent residential use.

## **3. The Boundaries and Plan of the Site**

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (iii) (a) A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.  
  
(b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

## **4. Density, Spacing and Parking Between Caravans**

- (i) Except in the case mentioned in sub paragraph (iii) of this paragraph and subject to sub paragraph (iv), every caravan must be spaced at a distance of not less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- (iii) Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
  - (a) A porch attached to the caravan may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed such that there is a door to the porch and to the home, there shall be fitted in the porch and the living space of the home, a mains linked smoke detector complying with current British Standards.
  - (b) Eaves, drainpipes and bay windows may extend into the separation

distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where sub paragraph (iii) applies in which case the extension into the separation distance shall not exceed 4.25 metres.

(c) Any structure including steps, ramps, etc (except a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a 4.5 metre clear distance between any such structure and any adjacent caravan.

(d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.

(e) Any shed for storage purposes will only be permitted within the separation distance if it is made of non-combustible material. Existing timber sheds within the separation space must be removed within 6 months of this licence coming into force.

(f) Windows in structures within the separation distance shall not face towards the caravan on either side.

(g) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high. Hedges are not permitted within 3 metres of an adjacent caravan.

(h) Where Park Rules allow cars to be parked within the separation distance provided, they must not obstruct entrances to caravans around them and they must be a minimum of 3 metres from an adjacent caravan.

(i) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

## **5. Roads, Gateways and Overhead Cables**

(i) All roads shall provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.

(ii) New roads shall be constructed and laid of suitable bitumen macadam or concrete with a suitable compacted base.

(iii) All roads shall have adequate surface water/storm drainage.

(iv) New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.

(v) One-way systems shall be clearly signposted.

(vi) Where existing two way roads are not 3.7 metres wide, passing places shall be provided where practical.

(vii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

(viii) All roads shall be maintained in a good condition.

- (ix) Cable overhangs must meet the statutory requirements.

## **6. Footpaths and Pavements**

- (i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- (ii) Communal footpaths and pavements shall not be less than 0.9 metres wide.

## **7. Lighting**

- (i) Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

## **8. Bases**

- (i) Every unit must stand on a concrete hard-standing.
- (ii) The concrete hardstanding must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.
- (iii) There shall be no more concrete hard-standings constructed than the number of caravans permitted to be sited under this licence.

## **9. Maintenance of Common Areas, including Grass, Vegetation and Trees**

- (i) Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site shall be maintained in a good condition, good repair and clear of rubbish.
- (iii) Grass and vegetation shall be cut and removed at frequent and regular intervals.
- (iv) Trees within the site shall (subject to the necessary consents) be maintained.
- (v) Any cuttings, litter or waste shall be removed from the immediate surrounds of a pitch.

## **10. Supply & Storage of Gas etc**

- (i) Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.
- (iii) Any work carried out on any gas or oil installations on the site shall be done by a competent person fully conversant with the relevant statutory requirements.

## **11. Electrical Installations**

(i) On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the caravans and other facilities and services within it.

(ii) The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.

(iii) Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.

(iv) Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

## **12. Water Supply**

(i) All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

(ii) All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.

(iii) All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.

(iv) Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

## **13. Drainage and Sanitation**

(i) Surface water drainage shall be provided where appropriate to avoid standing pools of water.

(ii) There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority. Where effluent is removed from the site the licensee shall provide the local authority if demanded, with a copy of their Discharge Consent as issued by the Environment Agency.

(iii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.

(iv) Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European standards.

#### **14. Domestic Refuse Storage & Disposal**

(i) Domestic waste including green waste originating from the individual plots are to be disposed of in a safe and proper manner using the Council's waste collection facilities. Disposal of waste from all common parts is to be dealt with as commercial waste.

#### **15. Communal Vehicular Parking**

(i) Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

#### **16. Communal Recreation Space**

(i) On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the local authority's opinion there are adequate recreational facilities within a close proximity to the site.

#### **17. Notices and Information**

(i) The name of the site shall be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details, a copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).

(ii) A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it.

(iii) A copy of the current site licence shall be available for inspection in a prominent place on the site.

(iv) In addition at the prominent place the following information shall also be available for inspection at the prominent place:

(a) A copy of the most recent periodic electrical inspection report.

(b) A copy of the site owner's certificate of public liability insurance.

(c) A copy of the local flood warning system and evacuation procedures, if appropriate.

(d) A copy of the fire risk assessment made for the site.

(v) All notices shall be suitably protected from the weather and from direct sunlight.

#### **18. Flooding**

(i) The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.

(ii) Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

**19. Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005**

(i) Since 8<sup>th</sup> June 2005, caravan sites with common or shared parts i.e. permanent residential sites and individual caravans rented out for permanent residential use or those of the holiday-let type, are subject to the Regulatory Reform (Fire Safety) Order 2005.

(ii) The site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority.

**20. Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does not apply (such as single unit sites and those sites solely occupied by family groups)**

(i) The standards in this section only apply if the site is **NOT** subject to the Regulatory Reform (Fire Safety) Order 2005.

**Fire Points**

(ii) These shall be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

**Fire Fighting Equipment**

(iii) Where water standpipes are provided:

(a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.

(b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.

(c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.

(iv) Where hydrants are provided, hydrants shall conform to the current British or European Standard.

(v) Access to hydrants and other water supplies shall not be obstructed or obscured.

(vi) Where standpipes are not provided or the water pressure or flow is not



sufficient, each fire point shall be provided with water extinguishers (2 x 9 litres) which comply with the current British or European Standard.

### **Fire Warning**

(vii) A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

### **Maintenance and Testing of Fire Fighting Equipment**

(viii) All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.

(ix) A record shall be kept of all testing and remedial action taken.

(x) All equipment susceptible to damage by frost shall be suitably protected.

### **Fire Notices**

(xi) A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

*“On discovering a fire:*

- I. Ensure the caravan or site building involved is evacuated.*
- II. Raise the alarm.*
- III. Call the fire brigade (the nearest phone is sited at .....).”*

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To be read at the Cabinet Meeting to be held on 7th June 2010 at which the Adoption of Revised Caravan Site Licence Conditions will be presented.

This statement is presented by Abridge Park Residents Association, a fully recognised Residents Association with 93% of Abridge Park homes as members.

Statement:

We fully accept the replacement of garden sheds, we understand this to be a Government recommendation since 1989, although this has never been part of Abridge Park Rules (issued by Abridge Park Owners) and indeed the Park Owners themselves were installing wooden sheds with new homes as late as 1997.

We do disagree most strongly on the refusal to allow the retention of privacy fences between homes. It is our belief that everyone has a right to privacy, especially where homes are situated fairly close together, this is indeed why your own planning department will not allow windows in the side of loft extensions.

We fully understand that wooden fences are liable to burn, this applies to any home anywhere, and is particularly a risk in traditional homes that have large wooden sheds and garages very close to them - on both sides of the fence.

Why therefore are Park Homes being "picked upon" when, in traditional homes, the rear garden is regarded as nothing to do with the council even though the homes may actually be joined together.

This would seem to be victimisation.

In the recommendations to the Cabinet it states that new porches will require linked fire alarms, but this requirement is not retrospective. Why are existing fences to be removed, surely this should only apply to new fences.

We are all fully aware of the wish for 100% safety, especially Park Home residents, who are required by law to have fire extinguishers and fire blankets, but we all feel the risk is far outweighed by our right to personal privacy in this instance.

Could we please be informed of the history of fire occurrences in Park Homes and Park Home sheds/fences when compared to traditional homes?

We feel, as do 98% of Abridge Park residents in their petition that the condition regulating fences is too rigid and should not be totally retrospective.

Abridge Park Residents Association

## ***Abridge Park Residents Association***

*Chairman: Peter Baines Treasurer: Bob Foster*

*Committee: Ted Bailey; Jan Stevenson; Annette Reynolds*

*Social Secretary: Frances Barker*

*General Secretary: Graham Wise*

*31 Abridge Park*

*London Road*

*Abridge*

*Essex RM4 1 XS*

*Tel 01992 813988*

[areatowl@tiscali.co.uk](mailto:areatowl@tiscali.co.uk)

3 June 2010

Mr Sally Devine  
Epping Forest District Council  
Council Offices  
Epping

Dear Mrs Devine

### **Adoption of Revised Standard Caravan Site Licence Conditions**

The enclosed petition was instigated and the signatures collected by a non-member of this Association. At the time this Association was in discussions with Epping Forest District Council and the committee declined from being involved in the petition.

Our discussions however have had no effect on the wording of the proposed Site Licence Conditions and we, the committee, now find we have no alternative but to fully agree with and support the petition. This means that 98% of occupied homes on Abridge Park have put their names to the petition.

The following committee members, and their partners, agree to have their names added to the petition:

Mr Peter Baines	14 Abridge Park
Mr Bob Foster	4 Abridge Park
Mrs Annette Reynolds	12 Abridge Park
Mrs F Barker	54 Abridge Park
Mrs J Stevenson	64 Abridge Park
Mr E Bailey	68 Abridge Park
Mr G Wise	31 Abridge Park

**In view of the total support for this petition, we would request most strongly that the attached statement is read to the "Cabinet" at the meeting on 7th June 2010.**

Yours sincerely



Peter Baines  
Chairman

On behalf of the committee and members of  
Abridge Park Residents Association

Graham Wise  
Secretary

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# **Report to Overview and Scrutiny Committee**



# SCRUTINY



**Date of meeting: 12 July 2010**

**Subject: Adoption of Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council**

**Officer contact for further information:** Sally Devine x 4149

**Committee Secretary:** Adrian Hendry

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## **SUPPLEMENTARY REPORT**

1. This report provides additional information to the Committee in relation to the decision of the Cabinet on the 'Adoption of Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' which has been called-in by the Committee, in view of comments made at the Cabinet meeting in relation to the consultation process that had been undertaken.

2. The original consultation process was carried out on behalf of the Council by specialists consultants, Park Homes Legal Services Ltd (PHLS), following the requirements set by:

- The Caravan Sites and Control of Development Act 1960 s.8 (1) which states that, before altering the conditions attached to a site licence the local authority must 'afford to the holder of the licence an opportunity of making representation';
- The Model Standards 2008 for Caravan Sites in England, which states that, before varying a licence, the local authority must 'consult the site licence-holder on its proposed variations, and may wish to consult with the residents or a Residents' Association, where appropriate'; and
- Guidance note 129: Local Authority Licensing of Park Home Estates

3. Having regard to these requirements, it was agreed that it would be appropriate to consult with all site owners within the District and residents associations known to officers – these residents associations were:

- Breach Barns
- Woodbine Close
- Abridge Park
- Roydon Mill

4. These residents associations cover 566 (68%) of the 835 mobile home owners in the District. Officers have also only recently been informed that there is a Residents Association at The Elms, a site of 36 homes, therefore this Residents Association has not been consulted.

5. Statutory bodies such as the Health and Safety Executive, the Environment Agency, Essex Fire and Rescue Service, the Council's Planning Service and Essex Ambulance Service were also consulted. A list of the names of all the consultees is attached as an Appendix to this report.

6. All Members of Council were notified of the consultation process in an article within the Council Bulletin on 27 February 2009, which outlined the principle behind the standard site licence conditions and explained the consultation process.

7. PHLS's consultation letter, together with a draft of the proposed standard site licence conditions, was sent out to consultees on 8 July 2009, requesting comments within 30 days. The Council received copies of these letters, together with confirmation that they had been sent. Following this, officers were subsequently advised that there was also a residents' association at the Abridge Park site and a copy of the documents were also sent to their representative.

8. It was suggested at the Cabinet meeting that the "site owner" of Roydon Mill had not received a consultation letter. This has been investigated with PHLS and it has been confirmed that, having regard to the Land Registration Act, the "site owner" is either a person having a lease in excess of 7 years or, otherwise, the free-holder of the site. It was established at the time that there was a lease for the site at Roydon Mill for 5 years. For this reason, the free-holder – as site owner - was consulted. In hindsight, it is accepted that it would have been helpful if the leaseholder had been consulted as well, although it was felt reasonable to assume that the free-holder would have consulted, or passed on the consultation information, to the leaseholder.

9. Responses were received from:

- The site owner of The Elms;
- The site owner of the Abridge Park site;
- The Abridge Park Residents Association; and,
- The Environment Agency.

The site owners' and Residents Associations' concerns centred principally on the positioning and height of sheds, fences and hedges between homes, which are requirements included within the Government's Model Standards to reduce the potential for fire to spread from one home to another.

10. In response to the concerns of the residents, a meeting was arranged with representatives of the Essex Fire and Rescue Service to discuss this further. Fire Officers advised that the Council should not compromise on the proposals and recommended a further amendment 'that no hedge should be within 3m of an adjacent home'.

11. The possibility of varying the conditions to allow existing hedges and fences to remain at a height above 1m was dismissed, as this would contradict the scientific and evidential basis upon which both the national and local standards are set and would not be consistent with the recommendations of the Fire Service. It was also felt that, if there was subsequently a fire at a mobile home site, that spread to neighbouring mobile homes due to the presence of combustible materials between mobile homes that contravened the national model conditions, the Council would be severely criticised for not following the model standards in the light of the scientific evidence, especially if the fire resulted in a loss of life.

12. Consideration was also given to allowing the fences and hedges of occupants, that are already higher than 1m, to remain, until they move from their home. However, this was also dismissed for the same reasons, as well as a conclusion that this not only be impossible to administer; it would also result in a toleration of such contraventions over, what may be, many years, would invalidate the whole reasoning behind setting the conditions.

13. It was accepted that some residents may be critical of the fact that they have been allowed to retain combustible materials, over 1m in height, for many years leading up to the adoption of these new licence conditions. However, it should be noted that officers were aware that – for many years - the Government was intending to issue new model licence conditions, having regard to recent scientific tests and advice, and concluded that it would be



premature to take any enforcement action in advance of the model conditions being published.

14. All those that had responded to the consultation were notified by letter on 17 November 2009 of the amendments that would be made to the conditions and recommended to the Cabinet. As these were not materially different from the draft that had been consulted upon, it was not considered necessary to notify all of the original consultees.

15. Following the Cabinet meeting on 7 June, the Committee should be aware that, in addition to the call-in, officers have received a number of representations by letter, telephone and in person expressing concern at the proposals. Members representing some of the sites have also discussed the proposals directly with the Officer concerned.

16. It is re-iterated that the conditions proposed within the report to Cabinet have been formulated on the basis of national guidance and models, as well as significant scientific and statistical evidence which has been reinforced by the view of Fire Officers. The amendments agreed by Members at the Cabinet meeting, while they provide longer timescales to carry out any necessary remedial work, are still in keeping with these recommendations.

**Permanent Residential Sites : List of Consultees****Site Owners****Site Name and Address**

1. Ashwood Farm  
Muthering Lane  
Stapleford Abbots  
Romford, Essex  
RM4
2. Abridge Mobile Home Park  
London Road  
Abridge  
Romford, Essex  
RM4 1XS
3. The Owl Caravan Park  
Lippitts Hill  
High Beech  
Loughton  
Essex  
IG10
4. The Elms Mobile Home Park  
Lippitts Hill  
High Beech  
Loughton  
Essex  
IG10
5. Ludgate House Mobile Home Site  
Hornbeam Lane  
High Beach  
Sewardstonebury  
Chingford  
London  
E4 7QT
6. Breach Barns Mobile Home Park  
Galley Hill  
Waltham Abbey  
Essex  
EN9 2AD
7. Roydon Mill Caravan Park  
Roydon Mill  
Roydon  
Essex  
CM19 5EJ

### **Site Name and Address**

8. Woodbine Caravan Site  
Waltham Abbey  
Essex  
EN9 3RD
9. Greenacres  
Bassetts Lane  
Willingale  
Ongar  
Essex  
CM5
10. Hill House Farm  
High Road  
Chigwell  
Essex  
IG7
11. Fairways  
Rear of the Duke of Wellington PH  
Wellington Hill  
High Beech  
Loughton, Essex  
IG10 4AH

### **Statutory Consultees**

<b>Entity</b>	<b>Address</b>
1. HSE	Wren House Hedgerows Business Park Colchester Road Springfields Chelmsford, Essex CM2 5PZ
2. Environment Agency	Apollo Court 2 Bishops Square Business Park St Albans Road West Hatfield AL10 9EX
3. Essex Fire & Rescue Service (1)	West Division Fourth Avenue Harlow Essex CM20 2DU
4. Essex Fire & Rescue Service (2)	London Road Rivenhall Witham Essex CM8 3HB

5. EFDC  
Planning Department  
Director of Planning & Economic Development  
Civic Offices  
High Street  
Epping, Essex  
CM16 4BZ  
FAO: Mr John Preston
  
6. Essex Ambulance Service  
Broomfield  
Chelmsford  
Essex  
CM1 7WS

**Residents Associations**

1. Breach Barns Caravan Site RA
2. Woodbine Close RA
3. Roydon Mill
4. Abridge Park Homes RA

**EPPING FOREST DISTRICT COUNCIL**

**Notification Of Call – In Of Cabinet Or Portfolio Holder Decision Under Rule 20 (8) (Page J13 of the Constitution) Of The Overview And Scrutiny Rules**

*This form must be signed and completed and the original returned to the proper officer in person no later than 10.00 a.m. on the 5<sup>th</sup> working day following publication of the decision*

<b>Decision to be called-in:</b> Adoption of Standard Caravan Site Licence Conditions for permanent Residential Sites
<b>Decision reference:</b> Cabinet meeting 7 June 2010; Decision 13.1 a and b published 15/6/10 (C-001-2010/11)
<b>Portfolio:</b> Housing
<p><b>Description of Decision:</b></p> <p>1. That as attached at appendix 2 of the report the revised standard caravan site licence conditions for permanent residential sites in EFDC be adopted, subject to the following amendments:</p> <p>a) The deadline for removing combustible sheds and reducing the height of hedges/trees to no more than 1 metre within separation spaces be set at 6 months; and</p> <p>b) The deadline for reducing the height of fences to no more than 1 metre within separation spaces to be set at 3 years.</p>
<p><b>Reason for Call – in:</b></p> <p>Insufficient consultation with residents. Consulted landowners only. No contact at all with residents. Insufficient consultation with local/ward members – i.e. Cllrs Lea and Brookes not consulted.</p> <p>Insufficient consideration of impact on privacy of residents by lowering hedges/fences to 1 metre. Members requesting ‘call-in’ would like existing hedges/fences to remain – at a maximum of 2 metres.</p> <p>Please note – on average units are 1 metre above ground level – so no point in reducing hedges/fences to 1 metre.</p>

**Members requesting call – in (3 members of the Overview and Scrutiny Committee or 5 other members)**

<b>Members Name:</b>	<b>Signed:</b>
<b>Lead member:</b> Cllr E A Webster	
Cllr D Johnson	
Cllr Y Knight	
Cllr R Gadsby	
Cllr J Wyatt	
Office Use Only: Date Received:	

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**PROTOCOL ON CONSIDERATION AND REPORTING ON EXECUTIVE DECISIONS  
CALLED IN BY OVERVIEW AND SCRUTINY****1. Purpose of Protocol**

- (a) To codify how the Overview and Scrutiny Committee or delegated Panel should deal with "call in" items.
- (b) To codify how the Executive should respond to reports by Overview and Scrutiny on decisions which have been called in.

**2. Validation of "Call In"**

- 2.1 All "call in" requests shall be made in writing in accordance with the Council's constitution. "Call in" requests shall only be made by members of the Council who are not members of the Executive. The "call in" shall be validated by the Chief Executive and referred to the Overview and Scrutiny Committee for consideration in accordance with the provisions of the constitution.

**3. Consideration of "Call In" Items by Overview and Scrutiny Committee**

- 3.1 Consideration of Call-ins shall be the responsibility of the Overview and Scrutiny Committee which will decide whether to consider the issue itself or direct a Panel to undertake it and report back to the decision maker. "Call in" items shall be referred to the next available date for the Overview and Scrutiny Committee or delegated Panel. The provisions of the Overview and Scrutiny Rules in the Council's constitution will apply to "call in" requests which need to be dealt with more quickly.
- 3.2 At its meeting, the Overview and Scrutiny Committee or delegated Panel will receive:
  - (a) copies of all documentation submitted to the Executive on which the decision was based;
  - (b) a copy of the written notification of the "call in" including the names of the relevant Councillors who requested the "call in" and their grounds for so doing; and
  - (c) any other relevant documentation.
- 3.3 The relevant Executive Portfolio Holder and at least one of the members who activated the "call in" and who shall act as spokesperson for those members, shall attend the Overview and Scrutiny Committee or delegated Panel meeting.
- 3.4 The "call in" decision shall be considered in the following manner:
  - (a) the representative of the Councillors calling in the decision shall describe their concerns;
  - (b) the Portfolio Holder shall then respond

- (c) the Overview and Scrutiny Committee or delegated Panel will then debate the issues involved. The Chairman of the meeting shall have the discretion to vary the way in which evidence is gathered including speakers and public participation if appropriate but shall seek a response from the initiating Councillor(s) and the Portfolio Holder before formulating its recommendations;
- (d) The Overview and Scrutiny Committee or delegated Panel has the following options:
- (i) confirm the decision, which may then be implemented immediately, or
  - (ii) refer the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
  - (iii) refer the matter to full Council in the event that the Committee or Panel considers the decision to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.
- (e) If it appears that the review of a decision of the Executive cannot be completed at one meeting, the Executive or decision taker will be informed, indicating any preliminary views the Committee or Panel may have and a proposed timescale for the completion of the review. The Chairman of the Overview and Scrutiny Committee/Panel shall, if necessary, consult with the Leader of the Council regarding the urgency of the proposed decision or any other related matter;
- (f) The Chairman of the Overview and Scrutiny Committee or delegated Panel shall sum up the recommendations to be submitted to the Executive and these shall be incorporated in full in the Minutes or report of the meeting;
- (g) In cases where the Overview and Scrutiny Committee or delegated Panel determines that a review of the decision is not justified or that, having reviewed the decision of the Executive, it has no adverse comment to make, the Committee or Panel shall ensure that its decision is published in the Members' Bulletin;
- (h) In the circumstances outlined in (g) above, the decision of the Executive or Decision Taker may be implemented with effect from the date of that meeting;
- (i) A report detailing any appropriate recommendations of the Overview and Scrutiny Committee or delegated Panel shall be reported to the Decision Taker
- (j) In presenting the recommendations of the Overview and Scrutiny Committee or delegated Panel, the Chairman may make general comments on the Committee's/Panel's recommendations, answer questions and respond to comments or new proposals made by the Executive at that meeting; and
- (k) The report of the Overview and Scrutiny Committee or delegated Panel shall be sent in draft to all its Members for approval prior to their submission to the Decision Taker.
- (l) Minority reports may be made by members of Overview and Scrutiny Committee or delegated Panel in accordance with the Protocol for that purpose.



#### **4. Consideration of Reports on "Call In" Items by the Executive**

- 4.1 The report of an Overview and Scrutiny Committee or delegated Panel will be referred in the first instance to the relevant Portfolio Holder(s) for the executive function concerned.
- 4.2 If the Executive decision is one which the Portfolio Holder(s) has delegated powers to make, he or she shall consider the written proposals of the Overview and Scrutiny Committee or delegated Panel, must consult the Overview and Scrutiny Committee and delegated Panel Chairmen if he or she is minded to accept or reject them. In doing so the Portfolio Holder will ensure that, in recording that decision, the reasons for accepting, rejecting or amending those views are set out in the decision notice.
- 4.3 If the Executive decision is one which the Executive itself or a Committee of the Executive (acting under delegated powers) is competent to take, the relevant Portfolio Holder will consider the proposals of the Overview and Scrutiny Committee or delegated Panel and refer them, with his or her written response, to the decision making body concerned.
- 4.4 At a meeting of the Executive or of any Committee of the Executive, the following documentation shall be submitted:
- (a) the agreed report of the Overview and Scrutiny Committee or delegated Panel and any other supporting documents considered by it;
  - (b) a report of the Portfolio Holder indicating the response to the proposals of the Overview and Scrutiny Committee or delegated Panel, indicating the options available and recommendation for acceptance, rejection or alteration of those proposals with reasons; and
  - (c) any other information.
- 4.5 The Executive or Committee of the Executive shall consider the matter as follows:
- (a) the Chairman of the Overview and Scrutiny Committee or delegated Panel shall present the views and recommendations of the Committee/Panel based on the report of the relevant OSC meeting and respond to questions, make general comments and respond to new proposals as appropriate;
  - (b) the relevant Portfolio Holder shall then respond by presenting his report and recommendations on the proposals of the Overview and Scrutiny Committee or delegated Panel;
  - (c) the Executive (or Committee thereof) shall then consider the original decision, the views of the Overview and Scrutiny Committee or delegated Panel and any proposals by the Portfolio Holder; and
  - (d) the Executive (or Executive Committee) will then make a final decision on whether to re-affirm the original decision, amend the original decision or substitute a new decision. This decision shall be recorded in the minutes of the meeting together with supporting reasons.
- 4.6 Where a Committee of the Executive is required to report to the full Executive on any matter, it shall submit a recommendation on action proposed to the Executive as part of the minutes of the meeting.

## **5. Implementation of Decisions When Cabinet Control or Membership Changes**

- 5.1 Notwithstanding the provisions of paragraphs 3.4(g) and (h) above, where political control of the Cabinet or Cabinet membership changes following the Annual Council meeting each year, any decision made by the Executive and supported by the Overview and Scrutiny Committee or delegated Panel following a "call-in" but not implemented before the changes occur, shall stand referred to the Cabinet for further review before action is taken.

## **6. Consideration of "Call In" Reports of Overview and Scrutiny Committees made to the Full Council**

- 6.1 In some circumstances, the Overview and Scrutiny Committee or delegated Panel may choose to refer the results of their consideration of "call in" items to the full Council, rather than the Executive in those instances set out in paragraph 3.4 (d) (iii) above and 6.2 below. With any necessary modification the "call in" shall be dealt with at the Council meeting in accordance with paragraphs 4.1 - 4.5 above.
- 6.2 In considering whether to report to the full Council, the Overview and Scrutiny Committee or delegated Panel shall take account of the advice of the proper officer on:
- (a) whether the Council may properly determine the matter if the function is delegated to the Executive;
  - (b) whether the Executive decision affects the policy or budget framework of the Authority and should properly be determined by the Council;
  - (c) whether the Executive decision relates to a matter which either reserved to the full Council by the constitution or by resolution; and
  - (d) any other advice which indicates that, for whatever reason, a report to the Executive is more appropriate to the proper despatch of Council business.

## **7. Restriction on "Call In"**

- 7.1 The Overview and Scrutiny Committee shall at all times be aware that the decisions of the regulatory or non-executive bodies of the Council are not subject to "call in".
- 7.2 The "call in" procedure shall also not apply to any recommendation by the Cabinet to the full Council.

## **8. Definitions**

8.1 For the purpose of this Protocol, the following definitions shall apply:

### **(a) "Executive"**

This term should be interpreted as referring to the Cabinet, a Cabinet Committee or an individual Portfolio Holder acting under delegated powers.

### **(b) "Decision"**

Denotes a decision on an Executive function by the Cabinet, a Committee of the Cabinet or of an individual Portfolio Holder.

### **(c) "Decision Taker"**

This means the Cabinet, a Cabinet Committee or an individual Portfolio Holder who made the original decision.

## **9. Review of Protocol**

9.1 This Protocol will be reviewed by the Council as part of its constitution as and when appropriate.

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To Epping Forest District Council  
Civic Offices, High Street,  
Epping,  
Essex,  
CM16 4BZ.

4<sup>th</sup> July 2010

To Councillor Dave Stellan Housing Portfolio Holder and all Members of the Cabinet and The Overview and Scrutiny Committee.

From Residents of Owl Park, The Elms, Ludgate, Abridge Park, The Woodbine & Breach Barns.

**Re: Revised Standard Caravan Site Licence Conditions**

**Enclosed**

1 Report outlining our objections to the new regulations being imposed retrospectively

2. Challenges to the Cabinet Meeting 7<sup>th</sup> June

3. Petitions against the new regulations being imposed **Retrospectively**.

Petition from The Owl, Lippitts Hill, Loughton

Petition from The Elms, Lippitts Hill, Loughton

Petition from Ludgate House, Hornbeam Lane, Sewardstonebury

Petition from Breach Barns, Waltham Abbey,

Petition from The Woodbine, Waltham Abbey

Petition from Abridge Park, presented previously for Cabinet Meeting.

**1 Report outlining our objections to the new regulations being imposed**

The recent adoption by the Cabinet of the Revised Caravan Site Licence Conditions at the Cabinet meeting of the 7<sup>th</sup> June is causing untold worry and Stress to the residents of Owl Park and Elms Park. Some residents (many who are elderly) are so stressed that they are unable to sleep through worry about the possible ramifications, which could follow if the Licence Conditions are enforced in the current form.

We are aware that the Cabinet decision has been 'called in' and will now be considered by The Overview and Scrutiny Committee on the 12<sup>th</sup> July 2010. We are therefore requesting Members of the Overview & Scrutiny Committee and Cabinet Members to consider the points outlined in this report and to amend the decision in favour of our various objections and NOT to impose the new regulations retrospectively.

### **Use of word 'Caravan'**

Firstly may we request that the word 'caravan' be removed from the title and replaced with the words 'Park Home' and also that all reference to 'caravan' be replaced with the same 'Park Home'. The Note (a) on Appendix 2 states that 'caravan', 'mobile home' and 'park home are interchangeable when the structure complies with the legal definition of a 'caravan'. The term 'caravan' is insulting and deriding to home owners. These homes are not caravans in the sense that 100% of all people would understand. The use of the word mobile home is also misleading as they are only mobile when they are on the back of a lorry when being delivered or are mobile in the sense they are placed on a chassis with wheels and can be nudged into position using the wheels when they are being sited. You cannot drive a Park Home nor can you tow a Park Home so by most peoples understanding of the word mobile it is not. They are occupied as a permanent residence and the Term Park Home is most appropriate.

### **General**

We believe to adopt the new regulations retrospectively is unacceptable and we believe the new regulations should apply only to new homes from the date of adoption. We believe by the Councils own admission (Item 9 of the report to Cabinet) you have failed in your duty to enforce regulations and or give guidance to Site owners or home owners **has negated the Councils right to take enforcement action against any of the existing contraventions.** Many of the contraventions such as a minimum 3m distance of homes from the boundary of the site has stood from the inception of the Sites and the Council obviously gave permission at the time which was in fact in contravention of their own regulations. The 3m minimum distances from the boundary has not been known by the residents only by the Site owners. We are talking about a period of more than 45 years that many homes have been in their current position on the site and authorised through planning applications passed by the Council. Homes have been brought and sold many times during this period with the homeowners having no knowledge of this regulation. Also what about the 4 year rule?

Existing contraventions should therefore be tolerated **without condition** and the regulations should apply only to new homes. It is normal when new planning regulations are introduced over the years that they apply to new build only, otherwise half the homes in this country would be deemed to contravene modern regulations appertaining to toilets, bathrooms, footings, wiring, fuses, and fire rated building materials. We require the same sensible non-retrospective introduction of new regulations to apply to Park Homes.

Failure to remove the word **retrospective** and to introduce the new regulations from the date they are imposed **will** devalue our properties and make many homes virtually worthless. The unique nature and beauty of our homes has been built over many years with innovative planting and design with residents relishing their privacy and environment. No Solicitor would allow a client to purchase a home, which was in breach of the regulations. **Residents will seek full compensation from Epping Forest District Council and its Members for the loss of value and the unbearable stress caused home owners if the current homes are not fully exempt from the new regulations.**

### **Fences, Hedges and Sheds**

With regard to the new regulations regarding wooden fences or hedges being a maximum of 1m high this is totally unacceptable and an infringement of residents 'Human Rights' and 'Right to Privacy' within their own gardens. The idea that Park Home owners should be subject to such a draconian regulation based on a Fire Service recommendation is insulting and condescending at the very least. There has been no fire at Owl Park in 45 years and only one fire in 40 years at The Elms and to our knowledge the fire did not spread and was contained within the one home. The fact is that there are hundreds of homes in Epping Forest with wooden structures (many terraced), barn conversions with wooden fences, wooden conservatories, Sheds and with Pergolas attached to the houses. The vast majority do not have an 18ft gap between them also of course brick houses burn as well. Park homes are always detached with a minimum of 18ft between every home surely making them less of a risk. These regulations must not be imposed retrospectively in fact it is doubtful they should be imposed even for new homes.

### **(Item 3. Appendix 2 Boundaries and Plan of Site ii) & (Item 4. Appendix 2 Density, Spacing and Parking Between Caravans ii)**

Many or most of the residential homes on the Owl and Elms sites do not conform to the regulations and most worrying with regard to (Item 3. Appendix 2 Boundaries and Plan of Site ii) which states "No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site", **it would be impossible to comply** with this regulation because there is no room to move the home. This would involve about one third of the 60 homes on these sites. These homes have been in place for about 25 years and the site plan was obviously agreed by the Council at the inception of the site. Home owners were not even aware of this regulation and have bought and sold their homes freely over the past 45 years without fear or favour. During these years the Council been receiving Council Tax as with all home owners and the site owner has complied with all Fire and Alarm conditions. Also the same applies to (Item 4. Appendix 2 Density, Spacing and Parking Between Caravans ii) which states, "No caravan shall be stationed within 2 metres of any road or communal car park. Again this would be impossible to implement.

It is therefore imperative that these homes are declared **exempt without exception** from the said regulations as stated in the above paragraph on the basis that by their historic nature they have been accepted by the Council via original site plans for the past 45 years and that if they were not specifically exempt the value of the homes would be all but worthless. We believe this would be an infringement of our human rights and would place untold stress and worry on the residents who are mostly elderly some in their late eighties.

The consequences of you imposing these regulations retrospectively are unimaginable. As it stands today all homes not complying with the Boundary regulations (PROBABLY 400 HOMES) are unsaleable and have in effect been made worthless by the Council. We the residents will hold the Council and its Members fully responsible for the financial loss and the stress this is causing. This applies **today** for all those currently trying to sell their homes.

## **2. Challenge Specific to the Cabinet meeting 7<sup>th</sup> June 2010**

1. The Cabinet started the discussion about this most important item at 9.40pm after a long meeting. Nearly every Councillor who spoke on this item apologised to Members along the lines of “ sorry Members I know its getting close to the 10pm deadline but.....

*It is obvious from the Webcast that this item was not given sufficient time and was rushed to beat the 10pm deadline. This is not acceptable. The item should have been deferred until the next Cabinet meeting.*

2. Councillor Stallan opened the discussion by apologising that the letter from the Abridge Residents was only given to Members at the meeting and the letter was not read out as requested by the residents.

*Again this is not acceptable, Members should have received the letter at least the previous day to have adequate time to study the content and it was only manners that the letter should have been read aloud as requested. Again this was probably because the 10pm deadline was looming. This is not acceptable. The item should have been deferred until the next Cabinet meeting.*

3. A Councillor raised the issue that not all Site owners had received letters informing them of the proposed changes in fact only two site owners responded and others said they had not received a letter. The Officer said that he had instructed Park Homes Legal Services Ltd who had compiled the report to notify all Site owners and relevant parties. It was also admitted that none of the 835 home owners had been notified. It was agreed that letters would now be sent to all residents informing them about the revised regulations.

*This is totally unacceptable. The residents **who are** of course the most relevant parties have not had the opportunity to respond. Therefore the Council has failed to carry out their obligation to consult all Site owners and relevant parties as stated in item number 5 of the report to Cabinet. The Members were aware of this before they agreed to pass the report. This surely amounts to gross irresponsibility by the Members and a total disregard of the concerns of 835 residential home owners.*

4. Councillor Webster asked how the report by Park Homes Legal Services Ltd was compiled. The responsible Officer Sally Devine said that the main thrust of the report was aimed at preventing the possible spread of fire. She said that recommendations concerning the banning of wooden sheds between homes and the rule that fences and hedges should be no more than 1m high were taken from a Fire Services report, which was a general, report and was not specifically aimed at Park Homes. She then said that the information was fed into a computer simulation, which then produced the report.

*It seems apparent that Members had not had the opportunity to study the report in depth and subsequently did not have the opportunity to evaluate the findings. The questions already covered above regarding letters to home owners and about how the*



*report was compiled demonstrate that Members were not in possession of the full facts and of course the whole discussion was being rushed to beat the 10pm deadline.*

*It is also clear that to impose these regulations on Park Homes only is blatant prejudice and victimisation of Park Home owners. The Officer said the Fire Services report was not specifically aimed at Park Homes so if the Council wish to impose these conditions it must include all properties of a wooden structure which would include all Barn conversions and many hundreds of homes built with wooden structures. Many of the new homes on the Meridian estate in Waltham Abbey fall into this category. If the Council are determined to impose these regulations they should not be retrospective.*

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**To Epping Forest District Council**

**Petition against the Revised Standard Caravan Site Licence Conditions being imposed retrospectively.**

We the Residents of BREACH BARNES

.....  
Object to the Revised Standard Caravan Site Licence Conditions for Permanent Residential Sites being imposed **retrospectively**. We consider this to be an infringement of our Human Rights and our Rights of Privacy

Name & Address

Signature

Redacted by the Council

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We are writing to object to the following proposals which are detailed within the Revised Standard Caravan Site Licence Conditions to be considered by the Overview and Scrutiny Committee on 12th July.

1. No Park Home should be sited closer than 3m from the boundary of the site or within 2m of any road or communal car park.

The implications of this rule are that if your home is closer than 3m to the boundary or closer than 2m to any road or car park you are in contravention of the regulations, which could in effect make your home worthless because any prospective buyer would be advised by any solicitor not to purchase a home that was technically illegal. Additionally it is technically possible that the Site Owner or the Council could ask that your home be removed. We consider this regulation to be an infringement of our human rights and would impose unbearable stress and worry to any resident affected. Most of the homes in contravention of this regulation have been in their current position from the inception of the site many for over 40 years. This regulation cannot and must not be enforced retrospectively.

2. All wooden sheds or sheds of combustible material between homes must be removed within 6 months.

This is totally unacceptable it has not been enforced over the past 40 years. This regulation cannot and must not be enforced retrospectively. We consider this regulation to be an infringement of our Human Rights (Section 8) and would impose unbearable stress and worry to any resident affected. Why should we have such a draconian regulation imposed on Park Home owners when all our homes are detached with a minimum distance of 18ft between each home? Surely we are less of a fire risk than the thousands of terraced houses and many thousands of other wooden structure houses in the District who are not subject to the same regulations. This is pure victimisation.

3. Fences and Hedges must not be higher than 1m and should comply within 3 years

With regard to the new regulations regarding wooden fences or hedges being a maximum of 1m high this is totally unacceptable and an infringement of residents "Human Rights" (Section 8) and "Right to Privacy" within their own gardens. The idea that Park Home owners should be subject to such draconian regulation based on a Fire Service recommendation is insulting and condescending at the very least.

The fact is that there are hundreds of homes in Epping Forest with wooden structures (many terraced) barn conversions with wooden fences, wooden conservatories, sheds and pergolas attached to the houses.

The vast majority do not have an 18ft gap between them. Also of course, brick houses burn as well.

Park homes are always detached with a minimum of 18ft between every home surely making them less of a risk. These regulations must not be imposed retrospectively, in fact it is doubtful they should be imposed even for new homes.

The proposals will down value the properties.

The uniqueness and charm of the site is due to the established gardens created by the

29 June 2010 AOL: paulabright

residents. This has afforded the homes to achieve a substantial investment value.

Should the proposals be approved, we intend to take legal action to claim full compensation from the council for any loss of value to our property and to recover any other costs that may be incurred implementing said proposals.

Yours faithfully

ALL THE RESIDENTS.

LUDGATE HOUSE  
HORNBEAM LANE  
E4 7QT

29 June 2010 AOL: paulabright

1 of 2

COPY OF  
ORIGINAL  
SENT  
30/6/10

MR BERNARD J LEVERETT  
11 The Lindens  
Woodbine Close Park  
(SINES S.E Ltd PARK HOMES)  
Waltham Abbey  
Essex EN9 3RN

(T.Ph: 01992 763938)

**EPPING FOREST DISTRICT COUNCIL**  
Civic Offices  
High Street  
Epping  
Essex  
CM16 4BZ

29<sup>th</sup> June 2010

FOR THE ATTENTION OF:-

1. THE LEADER OF COUNCIL – COUNCILLOR DIANA COLLINS
2. THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE –  
COUNCILLOR RICHARD MORGAN

I am in receipt of a copy of the 'revised Standard *Caravan* Site licence Conditions' which apparently were approved by cabinet in a very recent Epping Forest District Council meeting which has been 'called in' by Councillor Elizabeth Webster.

May I first correct the reference to the word 'caravan' which seems to refer to my home which is NOT a caravan and is a luxury 2 bed-room, two bath room *PARK HOME* which has full central heating, is double glazed and is built to very high standards with full smoke and carbon dioxide detection. It is also built to full flame retardant and flame resistant specifications, which is more than some conventional built brick and mortar homes. All *park homes* on this site and any park home site must adhere to these stringent requirements.

I have been a professional in the aviation world for most of my life and my wife and I moved to Woodbine Close Park in August 2007. We moved here for a quiet semi retirement and purchased our new park home here because it was a beautiful part of the country side and the residents here were all here basically for the same reasons. Many are quite elderly and the last thing they need is the hassle of councils passing 'retrospective' site licence conditions which are going to cause immense worry and unnecessary stress.

2 of 2

**The three revised conditions proposed effect existing:-**

- 1. Park Home Site Boundary limits.**
- 2. Wooden Sheds/sheds of combustible material**
- 3. Fences and Hedges height**

**Myself and the residents feel that there has been no consideration for the rights of the residents of Park Homes and the fact that existing boundary's, garden storage and fences and hedges have been there for many years. (Some for as long as 40 years). The new regulations would infringe their right of privacy and disrupt their lives so much that many would consider requesting re-housing and with all the stress that will cause the council may regret their lack of thought on this matter.**

**We would urge to re-consider the 'retrospective' enforcement of these revised Licence Conditions and consider a compromise by the gradual introduction of Fire Service recommendations by inspection/s by them and then a realistic gradual implementation with help where it is needed. We have no more a fire risk on our park home sites then any local housing estate, in fact in many ways we are safer by having fire hose points at regular intervals around the park.**

**The size of our partition which will be lodged by next week reflects the strong feelings that have been generated by the proposed 'retrospective' changes.**

**Yours sincerely**

Signature redacted by the Council

**Mr B J Leverett**

**Copy to: - Councillor Elizabeth Webster**



**Report to Overview and Scrutiny  
Committee**

**Date of meeting: 12 July 2010**

**Subject: Adoption of Standard Caravan Site Licence  
Conditions for Permanent Residential Sites in Epping  
Forest District Council**

**Officer contact for further information: Sally Devine x 4149**

**Committee Secretary: Adrian Hendry, ext.4246**

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**SUPPLEMENTARY REPORT**

1. In addition to the Supplementary Report already circulated in relation to the decision of the Cabinet on the Adoption of Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council; the Committee may find useful the attached Information Paper produced by the BRE that was referred to at the Cabinet meeting and which provides supportive information upon which both national and local standards have been set.

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## Fire spread between caravans

M P Shipp, BSc, CPhys, MInstP

**This paper describes work carried out to examine the spacing distance required to prevent the spread of fire between park homes (mobile homes) and holiday caravans. Ignitability tests were conducted on samples of caravan material and two complete caravans were fire tested. Factors taken into consideration were the construction materials, combustible items kept near the caravans and fire screens. The paper will be of interest to the caravan industry, site owners and local authorities.**

### INTRODUCTION

Park homes are mobile homes that are permanently occupied, whereas holiday caravans may be occupied only for the holiday season. Both are controlled on sites by the Caravan Sites and Control of Development Act 1960<sup>1</sup> and the Caravan Sites Act 1968<sup>2</sup>. The former calls upon Model Standards issued by the Secretary of State which required that every caravan should be not less than 6 m from any other caravan in a separate occupation.

In recent years there have been requests from the caravan industry and site owners for this separation requirement to be reviewed, their case being that the structure and contents of caravans have changed significantly since 1977 when the standard was last revised. With the Department of the Environment undertaking a further revision of the Model Standards and the British Standards Institution planning a standard for the spacing of caravans, the Fire Research Station was asked to re-examine the spacing requirements in the light of changes in caravan design. Only park homes (mobile homes) and holiday caravans were studied, touring caravans being excluded. Details of the research results are given in *Fire Spread Between Park Homes and Caravans*<sup>3</sup> and the findings have been incorporated into revised Model Standards<sup>4,5</sup>.

A desk study was carried out to seek and examine background and statistical information, review current caravan design and consider other aspects of the spacing problem, including the use of fire barriers and the effects of radiation on escaping occupants. In addition the FRS fire investigation team visited a site where a park home had been badly damaged by fire, to examine the radiation damage to adjoining properties.

### TESTS

The National Caravan Council (NCC) arranged for materials and caravans to be supplied for testing. A number of samples

of wall materials, curtains, etc were tested for ignitability using the ISO ignitability<sup>6</sup> apparatus at FRS. The ignition of vertically orientated samples of the same materials was also investigated. In addition existing ignitability data were sought.

Two complete caravans — one a holiday caravan, the other a park home — were instrumented and fire tested. Both were representative of the models currently manufactured. Results

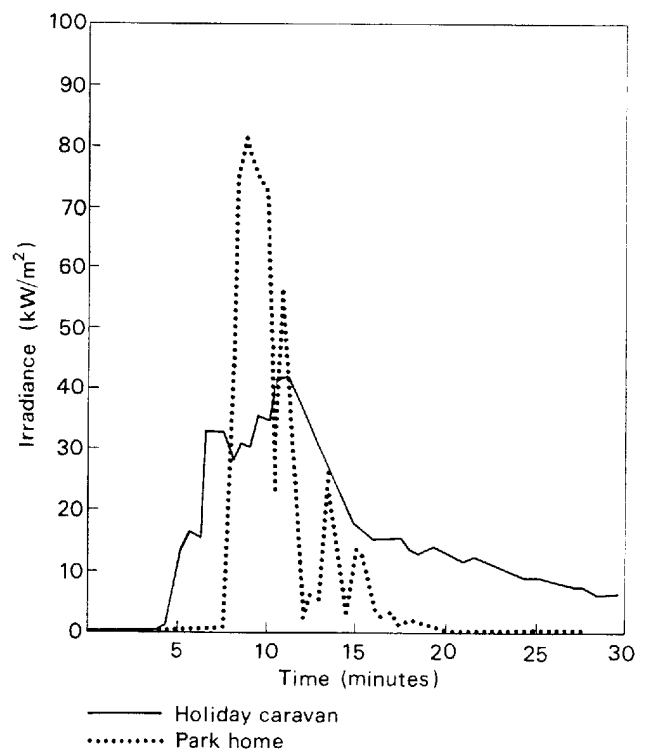


Figure 1 Heat radiation (irradiance) recorded 3m from each unit

Printed copies of this document are available from

BRE Bookshop  
Building Research Establishment  
Garston, Watford, WD2 7JR

Telephone 0923 664444 (Access/Visa sales)

from the fire tests provided both input and validation data for a computer model which calculated the radiation field from a burning caravan.

## RESULTS AND DISCUSSION

### Full-scale tests

A holiday caravan and a park home were instrumented by Warrington Fire Research Centre and burnt at FRS's Cardington Laboratory. The heat radiation (irradiance in kW/m<sup>2</sup>) was measured at a number of locations around each unit. These tests were believed to be representative of the range of caravan model designs, ignition conditions, age of caravans, ambient conditions, etc. so that the results could be used to propose a 'design fire' for each type of unit. The tests were carried out in still air.

The two units were seen to burn in different ways (Figure 1). The roof of the holiday caravan gave way very quickly so that the fire burnt upwards with the air being drawn in through doors and windows, and later the walls (Figure 2). Because of the more robust construction of the park home its roof remained intact for some time and flames jetted from the doors and windows, resulting in a more severe fire than that in the holiday caravan (Figure 3).

The results of the ignitability tests on component materials had suggested that the aluminium of the holiday caravan could withstand thermal radiation for longer than the plywood of the park home. This difference in the standard of construction was evident in the burning behaviour of the two types, though the heating in the full-scale tests was by direct flame impingement, not just radiation.

### Ignitability tests on materials

The wall structure of an aluminium skinned holiday caravan (ie outer skin, insulation and wood-based inner skin) did not ignite at irradiances below 50 kW/m<sup>2</sup>, although the paint burnt briefly without sustained ignition. The external fixtures and fittings (eg window frames, vents, etc) probably would have ignited at irradiances below this figure, but the actual critical value was not determined from these tests, though published data suggested values of 15-20 kW/m<sup>2</sup>. However, curtains exposed directly through an open window did not ignite at irradiances below 17 kW/m<sup>2</sup>.

The plywood skin of a park home (with or without finish) did not ignite at irradiances below 17 kW/m<sup>2</sup>.

Other materials such as the tyres of cars, wood-based products and gas cylinders — all of which are likely to be found close to caravans on a site — were found unlikely to ignite at irradiances below 15 kW/m<sup>2</sup>, and more generally 20 kW/m<sup>2</sup>, although wood may have done so at 12.6 kW/m<sup>2</sup>.

### Computer prediction of irradiance

A computer model was developed to enable the irradiance from a burning caravan to be calculated where it is incident on an adjoining unit at varying distances and orientations. The results from the full-scale tests were used to validate a design fire model for each of the two types of caravan. This was used to interpolate or extrapolate irradiances under selected conditions, such as the presence of a fire screen, for example. The model was used to show the distance from a burning caravan at which some defined irradiance would be experienced.

Some specific limitations of the model were:

- fire conditions 10 minutes after ignition when irradiances were at a maximum,
- results of a single fire (for each case) in a single model under specific conditions of ventilation and ignition,
- windless conditions,
- included some assumptions and were not exact, and
- only plane rectangular flames could be modelled.

### Separation distances

#### The design fire

The ignitability criteria proposed, based on results of laboratory tests and available literature, and presuming the presence of a pilot flame (eg burning brand), were:

holiday caravan structure	50 kW/m <sup>2</sup>
holiday caravan and park home generally	17 kW/m <sup>2</sup>
other surrounding or intermediate items (eg cars, sheds, gas cylinders — including hazard to humans)	12.6 kW/m <sup>2</sup>

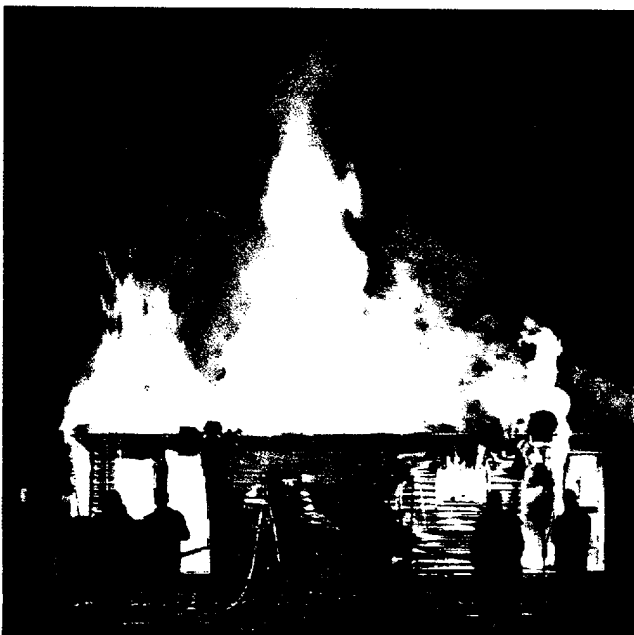


Figure 2 Holiday caravan after six minutes



Figure 3 Park home after six minutes

The results of these test fires were modelled to produce irradiance fields around the two types of caravan 10 minutes after ignition, and were used to create design fire contours for the holiday caravan (Figure 4) and the park home (Figure 5). Manufacturers' variations in materials were presumed not to affect the design fires.

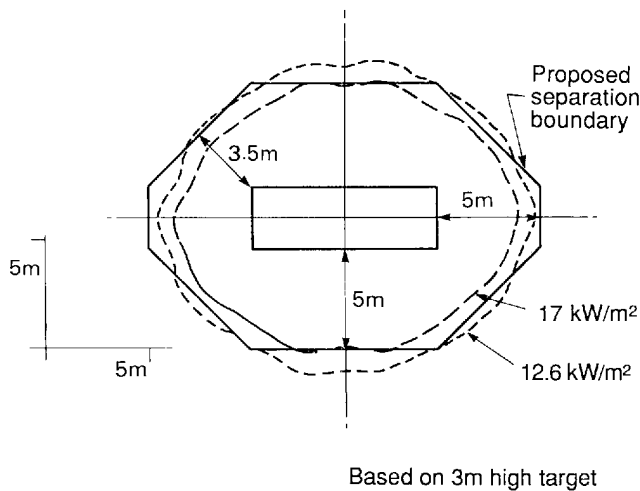


Figure 4 Holiday caravan design fire contours

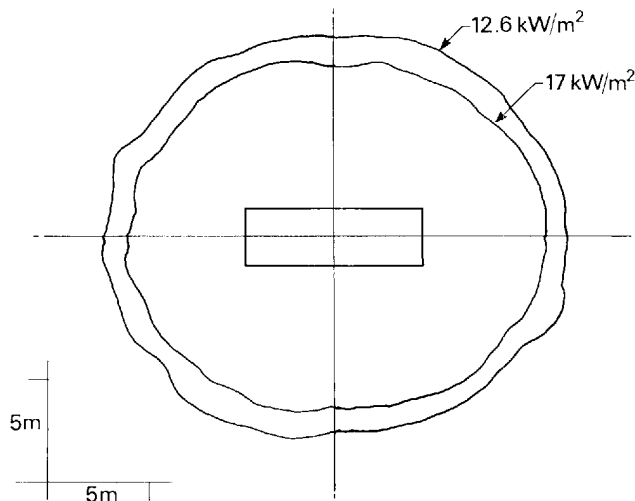


Figure 5 Park home design fire contours

#### Holiday caravan

The Model Standards<sup>7</sup> spacing requirement of 6 m might be reduced to 5 m for holiday caravans with aluminium exteriors. The spacing contours at the corners could be cut off so that where the units are positioned 'corner to corner' a clear space of 3.5 m should be sufficient to ensure no fire spread (Figures 4 and 6). This presumes no major difference in the proportions of a holiday home caravan from the one that was tested. However, the 6 m spacing requirement should be retained for holiday caravans with a plywood exterior.

#### Park home

Figure 5 shows there was no flexibility to reduce the current 6 m spacing requirement for park homes. A simplified separation boundary was therefore inappropriate. There is, however, no evidence from reports of real fires to indicate any risk where the spacing is 6 m, so there was no reason to increase this distance.

#### Other intermediate items

There appeared to be no statistical or anecdotal evidence to suggest that the presence of sheds, cars, porches, etc between

park homes (or indeed between 6 m spaced holiday caravans) was creating a hazard to life. There was therefore little strong argument to support the use of these separation boundaries for intermediate items where holiday caravans or park homes are spaced 6 m apart.

On the basis of the fire test results it has to be presumed that any items (other than those classified as non-combustible<sup>8</sup>) within 3 m of a burning caravan could ignite and be an additional source of fuel and radiation, or indeed, direct flame impingement. However, certain items need to be located between units for practical reasons. The limitations that might be applied are summarised in Table 1.

#### RECOMMENDATIONS

- 1 There should be no change to the Model Standards<sup>3</sup> 6 m spacing requirement for current designs of park homes.
- 2 The spacing requirement for holiday caravans with aluminium or other metallic exterior skin could be reduced to 5 m clear space, with 3.5 m space at the corners (Figures 4 and 6).
- 3 The spacing requirements for holiday caravans with an exterior skin of plywood or similar material should remain at 6 m.
- 4 Where there is a mixture of either park homes and holiday caravans, or holiday caravans made of aluminium (or other metal with similar ignitability characteristics) and plywood (or other material with similar ignitability characteristics), the separation distance should remain at 6 m.
- 5 Combustible intermediate items such as cars, gas bottles, etc associated with a separate holiday caravan occupancy with the 5 m spacing and within the separation boundary of an adjoining occupancy should be restricted (Table 1).
- 6 No combustible intermediate item should be within 3 m of an adjoining unit (ie there should be 3 m clear space between separate occupancies) except as specified in Table 1.

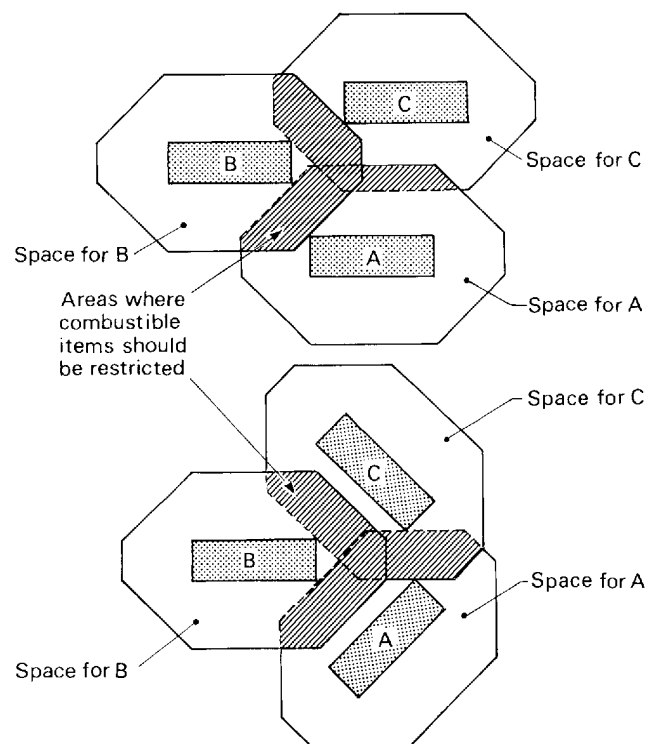


Figure 6 Holiday caravan layouts

**Table 1 Restrictions on the placement of items within the separation boundary of an adjoining occupancy**

Notes: 1 The table applies to both park homes and holiday caravans, except where stated otherwise.  
 2 Except for covered walkways\* there need be no restriction on the size or location for items outside the separation boundaries of any adjoining occupancies.

Item	Non-combustible (NC) or combustible (C)		Recommended restrictions
Garages	NC C		Windows should not point towards an adjoining home or caravan Do not permit
Car parking	—		1. At ground level only 2. On a non-combustible surface 3. Near to associated unit 4. Only one vehicle per space
Ramps and steps	NC C		No restriction Only one such item per space, not more than 2m out from unit
Verandas	NC C		No restriction Only one per space, not more than 1.5m out from unit
Porches and bay windows	NC C	}	1. Not more than 2m wide (along unit) 2. Not more than 1m out from unit 3. Should not face similar item on adjoining unit
Eaves (park homes)	—		Clear space between eaves of adjoining units to be 5.5m
Eaves (holiday caravans)	—		Clear space between eaves of adjoining units to be 4.7m
Car ports	NC C		Do not permit ( <i>will deflect flames</i> ) Thin thermoplastic sheet only
Covered walkways*	NC C	}	Do not permit
Awnings	NC C		Do not permit ( <i>will deflect flames</i> ) 1. Conventional materials of low mass only 2. Not more than 3m out from unit 3. Only one per space
Fences	NC C		No restriction Low (1m high max.) picket fences only
Gas bottles	—		Contained within fire resisting, ventilated and non-combustible housing only
Grass	—		To be kept trimmed
Vegetation	—		Avoid 'bridge' between units

7 3 m high fire screens may be used to reduce the spacing for holiday caravans to 3.5 m clear space. They would need to be imperforate, non-combustible and robust.

8 Consideration should be given to producing holiday caravans with an imperforate wall and roof. Such units, with blank walls facing, could be separated by only 3 m clear space.

**NB** Care must be taken that implementation of 7 and 8 would not compromise existing means of escape provisions.

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6 **International Organization for Standardization.** Fire tests — Reaction to fire — ignitability of building products. *International Standard ISO 5657*, Geneva, ISO, 1986.

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# ROYDON PARISH COUNCIL

**JANET BALLARD**

Clerk to the Council

P O Box 10752  
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Herts, CM23 9GN

7<sup>th</sup> July 2010

The Members of the Overview and Scrutiny Committee  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex, CM16 4BZ

Dear Members

## ***COMMITTEE MEETING MONDAY 12<sup>th</sup> JULY***

### **(ITEM 6) CALL IN - CABINET DECISION ON ADOPTION OF STANDARD CARAVAN SITE LICENCE CONDITIONS**

We are writing to express our concern that EFDC proposes to adopt the 2008 Modal Standards for Caravan Sites in England without considering how this would affect individual sites across the District.

In Roydon, we are particularly concerned about how these regulations will impact on the residential part of the Roydon Mill Caravan Park which is well established and well run.

The Model Standards state:-

- These standards should be considered when applying licence conditions to *new* sites and sites that have been substantially redeveloped
- In relation to variation of a licence the local authority *must consult* the site licence holder on its proposed variations and may wish to consult with residents or a Residents Association, where appropriate.
- In deciding whether to apply a new standard the Local Authority must have regard to the benefit that the standard will achieve and the interests of both residents and site owners.
- They (the Standards) should be applied with due regard to the particular circumstances of the relevant site.

However we cannot see that the above points are being taken into account with the proposals that EFDC now wish to put in place. The individual nature of Roydon Mill and the fact that these conditions would need to be applied retrospectively makes the site a special case. The regulations limiting the height of fences and hedges and the distance they need to be from caravans (which would mean the removal of many) would severely impact on the look and feel of a site which has been created by the residents over many years. The screening provides a degree of privacy which should not be under-estimated and removal of hedging would also increase the risk of flooding.

We feel that the fire risk has been over-stated - what evidence is there that this type of property has suffered an increased incidence of fire particularly in relation to other wooden residential buildings?

Finally, the costs to carry out the required work could be quite significant for many elderly residents even with an interest free loan.

We should be grateful if you could consider these points at your meeting and arrange further consultation on a site by site basis before implementing any new conditions. We feel sure that the residents of Roydon Mill would welcome the opportunity to show you around the site if you would like to visit.

Yours faithfully

Mrs Janet Ballard  
Clerk to the Council

Tel/fax 01279 730475  
roydon.council@btinternet.com



## **Report to Overview and Scrutiny Committee**

**Date of Meeting: 12 July 2010**

# SCRUTINY



**Portfolios:** Performance Management; Leisure and Wellbeing

**Subject:** Overview and Scrutiny Reviews – Value For Money; Equality and Diversity

**Officer contact for further information:** S. Tautz (01992 564180)

**Democratic Services Officer:** A. Hendry (01992 564246)

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

- (1) That the Overview and Scrutiny Committee ensures that full consideration of Value For Money and Equality and Diversity issues are carried out as part of all future service, function or policy reviews commissioned by the Committee, to be undertaken by Task and Finish Panels or Scrutiny Standing Panels; and**
- (2) That members consider whether responsibility for Equality and Diversity matters should remain within the terms of reference of the Finance and Performance Management Scrutiny Panel, or be placed with the Overview and Scrutiny Committee.**

### **Executive Summary:**

1. (Deputy Chief Executive) Pursuant to the Local Government Act 1999, the Council is required to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness, the relationship between which is often defined as 'Value For Money'. Additionally, there cannot be quality of service without equality. Equality does not mean providing the same service to everyone, and is not about treating all people the same way, but rather adapting services to meet the needs of different groups and communities.
2. The Council has always carried out service reviews and, since the introduction of the its executive management arrangements in 2001, the authority has operated arrangements for the formal review of specific services, functions and policies, in order to demonstrate continuous improvement. With the introduction of 'Best Value' in 1999, all local authorities were required to undertake a series of fundamental service reviews over a five year period, and a number of extensive service specific and cross-cutting reviews were completed. Over time, the Council's approach to service review developed into the current arrangement managed by overview and scrutiny.
3. The Council's constitution provides for the Overview and Scrutiny Committee to establish time-limited scrutiny 'Task and Finish' Panels, charged with carrying out in-depth review or investigation into a specific service, function or policy. Reviews undertaken by the task and finish panels are generally non-cyclical in character, and have clearly defined objectives, terms of reference, membership and a work

programme approved by the Committee. Each panel works to a specific brief set by the Overview and Scrutiny Committee, although the 'scoping' of each review or investigation is relevant to each review. Membership of the panels is drawn from the Overview and Scrutiny Committee itself, and/or from other Members of the Council. Membership is dependent on the knowledge and expertise required to deal with the specific review or investigation, provided that the principle of independence is not compromised. The selection of matters for consideration by the task and finish panels is determined by the Overview and Scrutiny Committee, as there is a need to prioritise issues and workload. The Overview and Scrutiny Committee has adopted the 'PICK' criteria to assist it with the task of choosing topics for scrutiny, in order to establish priorities for the overview and scrutiny work programme each year. The Task and Finish Panels generally undertake the 'scoping' of each review or investigation, within the terms of reference set by the Overview and Scrutiny Committee. Specific service reviews are also occasionally undertaken by the scrutiny standing panels.

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

4. The Council has developed an overall approach to ensuring the provision of value for money services, building upon the work undertaken as part of a detailed corporate 'Value For Money Review' of the Council's costs and performance undertaken in 2008. The Council is also responsible for the development and coordination of an approach to its statutory equality duties, particularly in relation to specific responsibilities to tackle discrimination, promote equality of opportunity, and encourage good community relations. It is important that these issues are properly addressed through the authority's service review processes.
5. The Council's Use of Resources assessment report for 2008/08 recommended that a programme of Value for Money (VfM) Reviews be established, focusing equally on the effectiveness and efficiency of services. The Council has also recently participated in an informal 'Peer Challenge' to establish the its base-line position against the Equality Framework for Local Government. The report of the Peer Challenge recommended that the role of overview and scrutiny in relation to equality and diversity be reviewed, in order to ensure that positive outcomes are being achieved for communities and service users.
6. In the current financial climate, it is likely to be even more necessary for the Council to review services, functions and policies, with a view to securing efficiencies whilst also maintaining or improving the delivery of key services. It is considered that the recommendations of the Use of Resources assessment and Equality Peer Challenge could initially best be progressed through ensuring that full consideration of VfM and equality and diversity issues is carried out as part of all future service, function or policy reviews undertaken by task and finish panels or scrutiny standing panels.
7. This report has therefore been produced to ensure that a robust and consistent approach is taken to the assessment of VfM and the identification of equality impacts, when formal reviews of services, functions and policies are commissioned by the Committee.

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

8. None. It is important that the Council understands its costs for individual services, and how these relate to performance and compare with other organisations. The Council is statutorily required to carry out a range of equality and diversity activities, including the undertaking of Equality Impact Assessments. Value for Money and Customer Impact Assessment processes are already part of the Council's business planning framework.

#### **Report:**

## Value For Money

8. All service, function or policy reviews undertaken by the Council should include an assessment of Value for Money (VfM). The emphasis of VfM has changed over the years, from a focus on competition through Competitive Compulsory Tendering, to encompassing issues of quality and service improvement through 'Best Value', to achieving efficiencies and, more recently, to ensuring that issues of equality are addressed.
9. VfM is about obtaining the maximum benefit with the resources available, Decisions about VfM are a daily reality in all walks of life, and public services are no different. VfM is not an optional add-on, or something that can be achieved as a one-off, but is a way of doing things that needs to underpin everything an organisation does. Failure to identify arrangements for securing and improving VfM might mean that opportunities for improvement are lost, and could adversely affect the reputation of the authority. VfM is about achieving the right local balance between economy, efficiency and effectiveness, spending less, spending well and spending wisely, which is defined as:

**Economy** is what goes into providing a service;

**Efficiency** is a measure of productivity i.e, how much is got out in relation to what is put in; and

**Effectiveness** is a measure of the impact that has been achieved, which can be either quantitative or qualitative. Outcomes should be equitable across communities, so effectiveness measures should include aspects of equity, as well as quality.

10. When assessing VFM, it is important to consider the holistic value of the service. VFM assessments should not be stand-alone judgements, which only focus on price. Considering VfM involves looking at the quality of services, as well as costs, and assessing how costs contribute to outcomes. VfM is therefore high when there is an optimum balance between all three elements, when costs are relatively low, productivity is high and successful outcomes have been achieved. VfM not only measures the cost of goods and services, but also takes account of the mix of cost with quality, resource use, fitness for purpose and timeliness to judge whether or not, together, they constitute good value. VfM is not about cuts, and can be achieved in different ways, including:
  - reducing costs (e.g. better procurement and commissioning) for the same outputs;
  - reducing inputs (e.g., people, assets, energy, materials) for the same outputs;
  - getting greater outputs with improved quality (e.g. extra service or productivity) for the same inputs; and
  - getting proportionally more outputs or improved quality in return for an increase in resources.
11. The aim of a VfM assessment is to identify those services that appear to be particularly high cost or particularly low cost, however they are measured. In this way, very low cost (and therefore potentially vulnerable) services and very high cost (possibly providing poor value for money) services can be identified and investigated. Where the unit costs of a service are considered high according to the VfM assessment, these should be investigated. This could include providing more information on successful outcomes of the service and/or details of expenditure. If a high cost service is deemed to be acceptable, additional monitoring of performance or outcomes may be appropriate.

12. The aim of VfM assessment and comparison is not be to make all services cost the same or to reduce all costs to those of the lowest cost service. Instead it is to ensure that, overall, service users get the best outcomes from the Council's resources, avoiding the risks of:
  - money wasted on services that are more expensive than they need to be; or
  - by service users being disadvantaged by inadequate or insecure service provision.
13. The Audit Commission has developed a VfM 'Profile' tool for local authorities, police authorities, fire and rescue authorities and primary care trusts, designed to help auditors and assessors carry out organisational assessments, but these can also be used to help councils evaluate how well they deliver VfM. The VfM Profile provides a 'can opener' for assessing VfM, and its tools use comparative information about an organisation's performance in managing costs and delivering services and outcomes. The Profile also tracks performance over time, helping to assess the impact of improvements and whether performance is moving in the right direction. The respective service budget(s) will also be used as a tool for VfM assessment, alongside other benchmarking opportunities.
14. The Council's Value For Money Strategy was first adopted in 2006, and was reviewed during 2008/09 in light of the completion of the Value For Money Review undertaken during 2008. The Value For Money Strategy is due to be further reviewed during the current year, and seeks to bring together best practice within the Council in terms of the provision of value for money services. Consideration of the Council's VfM performance is undertaken by a Sub-Group of the Finance and Performance Management Scrutiny Panel each year, through the development of a Cost and Performance Benchmarking Analysis, which utilises data from the Audit Commission's VfM 'Profile' tool. The purpose of the analysis is to provide an initial indicator of the relationship between the Council's service costs and performance, in order to identify areas where further more detailed and targeted analysis or improvement activity may be required.
15. The Committee is requested to ensure that VfM assessments are carried out as part of all future service, function or policy reviews undertaken by task and finish panels or scrutiny standing panels, and that full consideration of VfM issues is addressed within each review.

## **Equality and Diversity**

16. All service, function or policy reviews undertaken by the Council should include an assessment of equality impact. Local authorities and other public bodies have been subject to a range of duties to promote equality and diversity in respect of race, disability and gender equality for some time. In 2009, the former Government introduced new equality legislation in the form of the Equality Bill 2010, which both extends and simplifies the Council's responsibility towards equality and diversity.
17. The Equality Bill has extended the range of groups covered by existing equalities legislation (race, disability, gender) to include age, faith/belief, sexual orientation, and gender reassignment, and has placed two new duties on public bodies. The first of these new duties is the 'Equality Duty', which requires that people must be treated fairly and equally. The second duty is The 'Socio-Economic Duty', which requires public bodies to consider an individual's background and where they were born when providing services. The Equality Bill also requires public bodies to tackle discrimination, promote equality of opportunity and encourage good community relations across each of the seven equality strands.

18. In undertaking service reviews, the Council needs to assess whether the policies which guide its work, the procedures that it operates, and day to day working practices, are likely to have a positive or negative impact on different groups within the communities of the district. Having made this assessment, the Council can take action to prevent any identified discrimination and promote positive community relations.
19. The process of systematically analysing a proposed or existing service, function or policy to identify what effect, or likely effect, will follow from its implementation for different groups in the community, is known as an Equality (or Customer) Impact Assessment (CIA). CIAs can similarly be used to analyse the impact of the delivery of a service or function on different groups in the community, and are concerned with anticipating and identifying the equality consequences of policies and service delivery. CIAs are used, as far as possible, to ensure that any negative consequences for a particular group or sector of the community are eliminated, minimised or counterbalanced by other measures. CIAs should always be considered at an early stage in service, function or policy development or review, so that the results can be fully incorporated into any decisions made, and not just added to the end of the process. Working in this way helps the Council to integrate and mainstream equalities into its work and, when reviewing the effectiveness and performance of services or functions, CIAs can be used to identify equality issues and opportunities as an integral part of each review.
20. Local authorities have a legal responsibility under the current Race, Gender and Disability Equality Duties, to impact assess both their existing and new services, functions and policies, and to set out how they will monitor any possible negative impacts. The Equality Framework for Local Government (EFLG) requires the authority to impact assess for race gender and disability, and to demonstrate commitment to addressing the needs of and impact assessing around sexual orientation, age, and religion and belief. The Council is committed to principles of the EFLG, which provides a framework to measure progress against equality objectives. A key element of progression through the levels of the Equality Framework involves the carrying out of impact assessments on existing and new services, functions and policies.
21. There are many additional aspects to the impact assessment process. As well being a morally appropriate exercise, there is a clear business case for mainstreaming equality. An organisation that is seen to be putting the principles of equality and inclusion into practice, both in the workforce and in the services that it provides, is more likely to project a positive public image. Organisations with a diverse workforce are likely to better reflect and understand the community it serves, and provide a better, more tailored service to meet individual needs. The impact assessment process also has potential beneficial effects on for the perception of the Council in external audit and inspection processes.
22. The Council's CIA process has recently been reviewed to ensure that it provides maximum value. CIA awareness raising sessions have been held on a number of occasions over the last year, and will continue to be provided annually, allowing staff likely to be involved in the CIA process the opportunity to focus on understanding the processes necessary to produce an effective CIA. A screening exercise has also been conducted in order to identify and prioritise those activities and services for CIA within the three year period commencing in January 2010. Formal requirements for the 'identification' of equality implications on all Cabinet and Overview and Scrutiny reports were introduced in May 2009, following the identification of relevant case law , which ruled (*Kaur and Shah v London Borough of Ealing* (July 2008)) that in relation to race, it is illegal to introduce a policy without having first conducted an impact assessment.
23. The Committee is requested to ensure that CIAs are carried out as part of all future service, function or policy reviews undertaken by task and finish panels or scrutiny

standing panels, and that full consideration of equality and diversity issues is addressed within each review.

### **Equality and Diversity – Member Responsibility**

24. The Leisure and Wellbeing Portfolio Holder has executive responsibility for equality and diversity issues. Overview and scrutiny responsibility for equality and diversity is currently placed with the Finance and Performance Management Scrutiny Panel.
25. Overview and scrutiny aims to improve the quality of decision making and the performance of the Council, to ensure that it is transparent and accountable, and also aims to engage the community and champion issues of local concern. Equality and diversity is a key driver for the work of overview and scrutiny, as it seeks to ensure that the Council's services are fair and accessible to all communities. In order to further address the recommendation of the recent equality peer challenge that the role of overview and scrutiny be reviewed to ensure that positive outcomes are being achieved for communities and service users, members may also wish to consider whether responsibility for equality and diversity matters would be better placed with the Overview and Scrutiny Committee itself, in view of the significant focus of the work of the Scrutiny Panel on financial and performance management issues.
26. The Scrutiny Panel has recently received a report outlining progress in relation to the development and implementation of the Council's approach to equality and diversity with regard to specific initiatives, a copy of which is attached as Appendix 1 to this report.

### **Resource Implications:**

Value for Money and Customer Impact Assessment processes are already part of the Council's business planning framework. The undertaking of assessments would therefore be met from within existing resources.

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

There are no legal implications or Human Rights Act issues arising from this report, which seeks to ensure the development and coordination of a corporate approach to the Council's statutory equality duties, particularly in relation to the specific responsibility for promoting equality and diversity.

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

There are no legal implications arising from this report in respect of the Council's commitment to the Nottingham Declaration for climate change, the corporate Safer, Cleaner and Greener initiative, or any Crime and Disorder issues within the district.

### **Consultation Undertaken:**

The actions proposed in this report arise from the reports of recent assessments of the Council's performance in terms of Use of Resources and the Equality Framework for Local Government. This report was issued to the Performance Management and Leisure and Wellbeing Portfolio Holders, and the Chairman of the Overview and Scrutiny Committee, in advance of the publication of this agenda.

### **Background Papers:**

Use Of Resources report 2008/09 (PKF (UK LLP) (March 2010); Equality Framework for Local Government 'Peer Challenge' report (S. Elrick) (April 2010).

## **Impact Assessments:**

### ***Risk Management***

Risk management issues arising from future service, function or policy reviews, will be identified as specific reviews are progressed.

### ***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. However, issues arising from future service, function or policy reviews, will be identified as specific reviews are progressed.

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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## **Report to the Overview and Scrutiny Committee**



**Date of meeting:** 12 July 2010

SCRUTINY



**Subject:** Recommendations Arising from Review of Debt and Money Advice – Progress on Implementation

**Responsible Officer:** Chris Overend (01992 564247)

**Democratic Services Officer:** Adrian Hendry (01992 564246)

### **Recommendations:**

- (1) To note progress on the implementation of actions agreed following the review of Debt and Money Advice Provision in 2009 and the LSP review on the effect of the Credit Crunch; and**
- (2) To determine any further action required.**

### **Report:**

#### **Background**

1. Following the adoption of a motion at Council on 16 December 2008, and subsequent discussion at Overview and Scrutiny on 29 January 2009, a Scrutiny Sub-Committee was set up to review current debt and money advice provision; to review the support the District Council offers the Citizens' Advice Bureau and whether this support should be extended; and to incorporate the outcome of the review into the budget process. In view of the urgency of the situation, a number of actions were agreed immediately. In addition, having carried out its review, the Sub-Committee submitted its report to this Committee which supported the recommendations contained in that report, at its meeting on 12 November 2009 (Minute 55 refers). The policy revisions and budgetary requirements arising out of those recommendations were approved by Cabinet at its meeting on 1 February 2010 (Minute 134 refers).

2. Set out below are the recommendations put forward by the Scrutiny Sub-Committee which were approved.

- That the District Council became a signatory to the Small Business Engagement Accord.
- That Local Banks/Building Societies be written to ascertain their current arrangements when customers have their property repossessed or there is a threat of repossession.
- That a Direct Link on the District Council website on benefits information be set up.
- That the significant impact of the recession on the number of cases dealt with by Epping Forest CAB and the CAB's excellent response to the increased workload be recognised and, in giving its support, the District Council continues to work alongside

the CAB as it seeks additional resources, be they finance, staff, volunteers or premises, to ease the effects of that additional workload.

- That the District Council foster an interest in volunteering and voluntary work by encouraging employees to become volunteers in their spare time (e.g. as part of the induction programme), through publicity in The Forester magazine and encouraging other major employers in the District to promote the benefits of voluntary work.
- That voluntary work also be promoted through the use of information available at suitable locations, including Council Offices and Job Centre Plus.
- That the need for more spacious facilities, also providing greater confidentiality, for interviewing benefits claimants be addressed as a matter of urgency through the Customer Transformation Programme or another Civic Offices work programme.
- That the District Council recognises and supports the vital role being carried out by Credit Unions in general during the economic recession.
- That the District Council also supports the work being carried out by Essex Savers in the District and, in giving encouragement to the extension of its operation to the more outlying rural areas, assists in publicising the role of Essex Savers generally, internally and through other major employers in the District.
- That the LSP be supported in its bid through the Future Job Fund for the creation of jobs in the District.

3. At a similar time the Epping Forest LSP (Now 'One Epping Forest') carried out a review into the effects of the 'Credit Crunch' on the District. Whilst that review was more specifically focused on the effects of the recession on the business sector, there was a degree of overlap in the areas covered by the two reviews. The recommendations of the LSP are set out below:

- That partners work with LSPs across West Essex to support and identify opportunities for improved access to external funding and identity and build on examples of good practice.
- That partners consider the scope for future events and identify further opportunities for joining up existing support in the District.
- That partners engage in and give full support to programmes designed to maximise access to Future Jobs Fund in the District.
- That the impact on advice-giving services such as the CAB is kept under review and partners commit to look at creative ways of meeting enhanced need if required in the third sector.
- That partners look at opportunities to support volunteering capability in the District.
- That further work on a business plan for the growth of credit unions in the District be undertaken.
- That the role of the Business Champion be kept under review and opportunities for developing the role be investigated.
- That plans be drawn up to agree a new economic development strategy in full consultation with key partners.

4. This Committee agreed that progress on the implementation of the various recommendations be looked at after six months. Accordingly this report sets out details of progress to date in the key areas identified by the two reviews.

#### **Direct Link to Benefits Information on District Council Website**

5. The need for a Direct Link on the District Council website to Benefits Information was identified and subsequently set up.

#### **Work with Banks/Building Societies in Repossession Cases**

6. Disappointingly no responses were received from any of the local banks or building societies when an approach was made to them regarding the possibility of working more closely together on reducing the impact of repossessions or the threat of repossession or individuals.

#### **Interview Facilities for Benefits Claimants**

7. Approval has been given to seek quotations from suitably qualified consultants to produce design options on the basis set out below.

- Refurbishment of the existing facility.
- Refurbishment and possible extension of the existing facility (shown in yellow and green on the attached plan).
- Refurbishment and possible extension of the existing facility including a redesigned entrance arrangement (shown in yellow, green and purple on the attached plan).

#### **Epping Forest District CAB**

8. The District Council and Epping Forest CAB have a Service Level Agreement (SLA) through which the CAB guarantees service provision at a given level (or above), subject to receipt of the necessary resources from the District Council. The District Council receives regular reports from the CAB on its activities, its caseload (broken down by category) and the impact of the caseload on its overall financial situation. The significant effects of the recession in terms of employment cases have been widely recognised. A new three year SLA has now been agreed for the period 2010/11 to 2012/13 with funding from the District Council to the CAB for 2010/11 in the sum of £113,840 as part of the Agreement.

9. In 2008/09, the District Council, as the body providing most of the core funding, approved a grant of £6,250 in recognition of the additional number of cases Epping Forest CAB had to deal with as a consequence of the recession. An additional grant of £4,300 in recognition of the increased caseload was approved in 2009/10. As a consequence of the increased caseload, a considerable backlog in terms of the number of cases to be dealt with has built up. The difficulties have been exacerbated as a result of the limited number of suitable interview rooms available to the CAB. To ease the situation, the District Council has provided the CAB with additional accommodation at the EFDC's Community Services offices at Hemnall Street, Epping. The use of the room in the Community Services offices has enabled the CAB to advise an additional 151 clients and has reduced the waiting list, to see a debt adviser, to 4/5 weeks.

10. Epping Forest CAB is continuing to see an increased number of clients. From 1 April – 10 June 2010 it advised 4579 clients – this is more than the total number of clients seen in the previously quarter and indicates a continuing upward trend. Debt continues to be the main enquiry area. The Loughton wards have the highest number of clients seeking debt advice. This is currently 62%. Information on the number of cases dealt with by Epping Forest CAB, broken down by category is attached as an Appendix.

11. Epping Forest CAB is of the opinion that the measures which EFDC introduced in response to the recession have undoubtedly had a positive impact on the area particularly as individuals with debt are coming to us earlier rather than as a last resort. The CAB is working closely with the credit union in the district and this has proved to be a lifeline for some of its clients.

12. The CAB is in the process of introducing Gateway across its offices. Gateway is a triage type service where clients have a short 10-15 minutes interview with a Gateway adviser and will then either be given an appointment with a specialist or generalist adviser, referred to another agency or given details of self help.

13. Epping Forest CAB has taken advantage of the future jobs fund. During the 2010/11 financial year, this will enable it to employ 12 young people whom the CAB will train to become Gateway advisers. This will enable the CAB to see more clients, thereby reducing the pressure on its volunteer generalist and specialist advisers.

### **Voluntary Sector/Volunteering**

14. Like other sectors, the voluntary sector has suffered severely as a consequence of the recession. The problem is exacerbated by the effects of a “two-way squeeze” in the sense that the voluntary sector is having to deal with the effects of the resultant financial cut-backs and is also experiencing an increased demand for its services. Yet the economic downturn presents opportunities as well as threats. One effect of the economic situation has been an increase in the numbers coming forward seeking voluntary work. Whilst this creates pressures in terms of training placement and requirements, it is nonetheless welcome.

15. The District Council and several of its partner bodies currently provide for volunteering within their services (e.g. EFDC Countrycare, Lee Valley Regional Park Authority) and are committed to giving further encouragement to the volunteering concept and extending the range of volunteering opportunities within their own organisations. The County Council has now launched a volunteering policy (known as Essex Volunteers) allowing non-schools employees to take two days paid annual leave to engage in volunteering.

16. One Epping Forest, is fully committed to supporting the work of the Voluntary and Community Sector. The Partnership acknowledges the major benefits to the life of our community and to the quality of life of many families and individuals who rely on the investment, and the time and commitment of volunteers right across our district. As well as making a major difference to improving people’s lives, the time given freely by volunteers diverts pressures away from public services at a time when resources are becoming increasingly scarce, and enables often vulnerable people and communities to access services, activities or facilities: things that they would otherwise not be able to.

17. The principles below have been identified and agreed by the various partner organisations represented on the One Epping Forest as a means of engendering a positive attitude and approach to the concept of volunteering. This charter represents a statement of intent of the various partners to carry out their responsibilities to volunteers and in encouraging a volunteering philosophy.

- To allow staff to take 2 working days paid leave per annum to engage in volunteering within their local community in line with the priority areas identified in the Sustainable Community Strategy.
- To take a positive approach in promoting the importance of volunteering in their organisations, including provision within staff induction arrangements on the benefits of volunteering.

- To set out in publicity material/websites existing provision for volunteering opportunities in the partner organisation concerned and identifying a programme to identify further potential opportunities.
- To support annual awards programmes that publicly recognise the achievements and contributions of volunteers across our district.
- To encourage other local employers and service providers to sign up to this charter.

18. The VAEF and the District Council have agreed a new three year SLA with the funding to VAEF in 2010/11 in the sum of £39,120. The District Council also offers support in kind to VAEF through offsetting some of the accommodation costs (approximately £10,000) in respect of VAEF's occupation of Homefield House. The budget for grants to other voluntary groups is currently just in excess of £100,000.

19. A new Compact setting out the principles governing the relationship between the local authorities and the voluntary sector in West Essex has just been finalised.

### **The Role of Credit Unions**

20. As a consequence of the recession, credit unions are playing an increasingly vital role in assisting the less well-off. In September 2009 the Epping branch of Essex Savers was launched in Epping. Further branches have been or are proposed in the District. Essex Savers has received a grant from the County Council to support its growth. Both the District Council and One Epping Forest are giving their support to Essex Savers, encouraging the extension of its operation to the more outlying rural areas, assisting in publicising its role generally, internally and through major employers in the District. Harlow Save, the long established credit union in Harlow, is also looking to expand.

21. Essex Savers now have 'face to face' access services in Epping at St John's Church on Mondays between 10 am and 12 noon, Waltham Abbey Library on Tuesdays between 10 am and 12 noon and Debden Library on Thursdays between 2-4 pm. Access services are also planned for Loughton (Methodist Church), North Weald Library and Ongar.

22. Credit Unions such as Essex Savers employ a number of volunteers and their role with them undoubtedly brings considerable benefits to the volunteers concerned:

- Credible references for CVs and job applications.
- Training and experience, including transferable skills.
- IT training.
- Volunteers joining the credit union becoming part of an innovative project.
- Experience of helping to run a social enterprise.

23. Discussions are taking place with both Essex Savers and Harlow Save and One Epping Forest on how the various partners could work together to ensure the services are accessible to the most disadvantaged, particularly those in deprived and remote rural areas. The outcome of those discussions will be reported to the LSP's Sustainable Communities Group on 23 July 2010.

### **Access to Funding/Funding Advice**

24. Some of the partner organisations (e.g. VAEF, EFDC) already have individuals with external funding as a specific part of their role. Furthermore, a West Essex Partnership

consisting of representatives from each of the Epping Forest, Harlow and Uttlesford areas has been set up. It has met on a number of occasions and has clarified its terms of reference and work programme to ensure each activity it is involved in should have real added value and there is no duplication of work already being carried out by the individual LSPs and/or partner organisations. The work programme is therefore to be around opportunities for greater efficiency/anticipating new challenges, monitoring future jobs and identifying gaps in funding and opportunities for joint bidding. Indeed, the partnership was successful in its bid to the Future Jobs Fund as referred to in paragraphs 23-24 below.

25. A 'funding alert' item is included on the agenda for each meeting of the One Epping Forest Sustainable Theme Group. This facility allows partner organisations to become aware of new funding opportunities as they arise.

### **Future Jobs Fund**

26. The West Essex Partnership was successful in a bid to the Future Jobs Fund, resulting in the award of £1.1 million for jobs across the three Districts of Epping Forest, Harlow and Uttlesford. The money has been released in two tranches with 28 job placements (14 per tranche) in the Epping Forest District. The job placements are with the District Council, VAEF, Epping Forest College, the Gunpowder Mills and the CAB. The West Essex Partnership was recently nominated for an award in recognition of its youth employment work.

27. Under the previous Government encouragement was being given to the West Essex Partnership to submit further bids and seek to expand the scheme. The new Coalition Government honoured the commitment to the expenditure under the first two tranches but has otherwise abolished the Future Jobs Fund. The new Government has changed the emphasis with regard to jobs and welfare and made the following statement:

"The Government believes that we need to encourage responsibility and fairness in the welfare system. That means providing help for those who cannot work, training and targeted support for those looking for work, but sanctions for those who turn down reasonable offers of work or training.

We will end all existing welfare to work programmes and create a single welfare to work programme to help all unemployed people get back into work.

We will ensure that Jobseeker's Allowance claimants facing the most significant barriers to work are referred to the new welfare to work programme immediately, not after 12 months as is currently the case. We will ensure that Jobseeker's Allowance claimants aged under 25 are referred to the programme after a maximum of six months.

We will realign contracts with welfare to work service providers to reflect more closely the results they achieve in getting people back to work."

### **Business Support/Engagement**

28. A series of business engagement events is being held during 2010. The subject areas covered by the events include rateable values, emerging planning policy, the M11 and resultant opportunities. It is also proposed to hold a Business Summit covering a range of issues including the Essex Apprenticeships Scheme, practical advice on finance availability and recruiting for employment.

29. One Epping Forest has drawn up a charter, currently in draft form, with the following principles, and with a view to all the partner organisations becoming signatories and committing to those principles:

- Payment of all invoices received within a 10 working day timescale with each partner organisation becoming a signatory to the Prompt Payment Code.

- Consultation and engagement with the business community on all major policy issues within predetermined timescales set out in a consultation and engagement plan made known to the business community.
- One Epping Forest to nominate a business engagement champion whose role will be to ensure that the views of the local business community are considered at every stage of any consultation exercise and whom will be tasked with creating effective links with all sections of the business community.
- Consultation with the business community not to be limited to formal consultation exercises but to be part of an ongoing dialogue.
- One Epping Forest to identify business owners that can be 'engagement champions' within the local business community.
- When tendering for work, seek a quotation from at least one business located in the District, provided that value for money is achieved and legal requirements met.
- When buying goods, purchases to be made from a company located in the District where one is available, provided that value for money is achieved and legal requirements met.
- A range of communication tools should be employed to promote better business engagement including, for example, consultation documents, newsletters, information on websites, local media or staff working directly with businesses.

30. Additional publicity and encouragement of take-up of Small Business Rate Relief has been given by the District Council. A significant increase in take up has resulted. The District Council is a signatory to the Prompt Payment Code, in respect of invoices from business suppliers. The District Council is also a signatory to the Small Business Engagement Accord through which it guarantees to follow certain principles including guaranteed standards in its consultation arrangements with the business community in terms of the documents used, the communication tools and the overall arrangements. The District Council also has a Public Consultation and Engagement Policy and Strategy, a Consultation Plan and Toolkit which set out similar commitments.

### **Economic Development Strategy**

31. A number of key elements, which will feed into the new economic development strategy, already exist or are being worked on. These were highlighted in a 'Topics Paper' considered by One Epping Forest in 2009 and included, amongst other issues, educational/skills attainment, infrastructure provision, diversity in the local economy, achieving business start-ups, the viability and vitality of town centres, employment structure, the labour market and tourism. These will also help inform the new Sustainable Community Strategy.

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# **EPPING FOREST DISTRICT CITIZENS ADVICE BUREAU**

**Quarterly update January – March 2010**



Service funded by

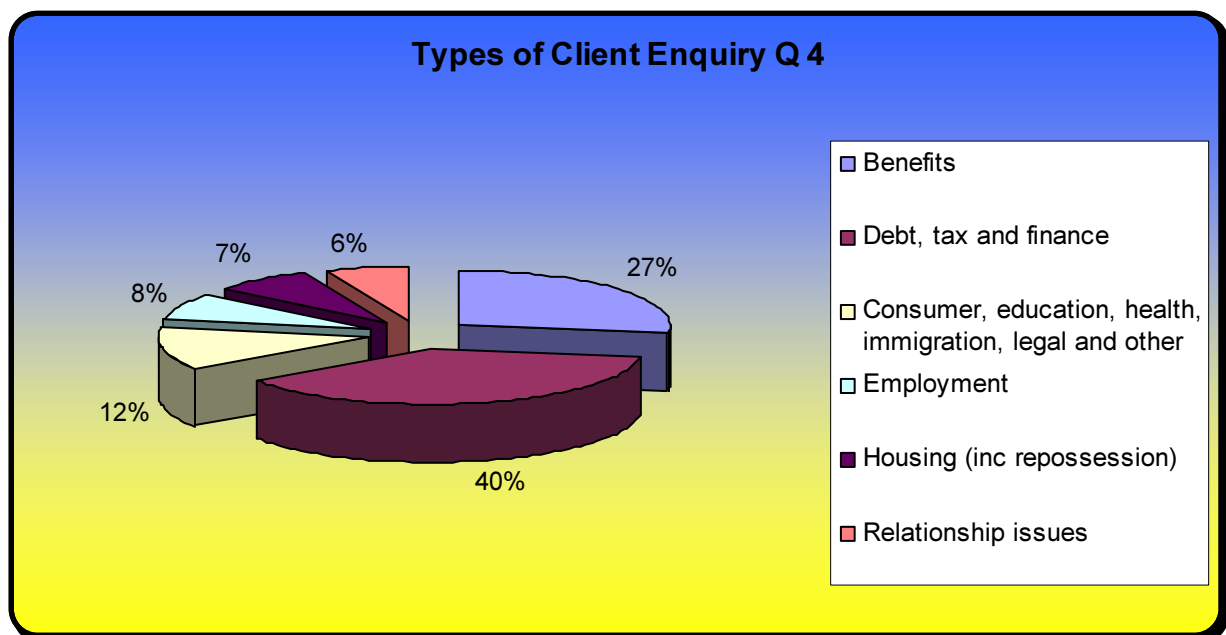
Epping Forest District Council, and Epping, Loughton, Ongar and Waltham  
Abbey Town Councils

Charity registration number 1118465 Company registration number 5852220  
Registered Office: St Mary's Parish Centre, High Road, Loughton, Essex IG10 1BB

This quarter there was a small decrease in client numbers (circa 5%). This is principally as a result of the poor weather conditions in January/February when we had to close the bureau as staff and clients were unable to get into the office.

Debt tax and finance remain the largest enquiry areas and represent 40% of the total enquiries within the bureau and benefit enquiries represent 27% as shown in the breakdown below.

	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Total Q4</b>
Benefits	322	377	320	1,019
Debt, tax and finance	492	420	533	1445
Consumer, education, health, immigration, legal and other	142	161	150	453
Employment	101	110	105	316
Housing (inc repossession)	82	94	104	280
Relationship issues	81	63	95	239
<b>Total</b>	<b>1220</b>	<b>1225</b>	<b>1307</b>	<b>3,752</b>



## **Report to the Overview and Scrutiny Committee**

## **Report of Constitution & Member Services SSP**

**Date of meeting:** 12 July 2010



**Portfolio Holder** Leader (Returning Officer's Report)

**Subject:** Elections – May 2010

**Officer contact for further information:** Ian Willett (01992 56 4243), Graham Lunnun (01992 56 4244)  
Wendy MacLeod (01992 56 4023) and Simon Hill (01992 56 4249)

**Democratic Services Officer:** Adrian Hendry (01992 56 4246)

### **Recommendation:**

**That this review of the elections held on 6 May 2010 be noted.**

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We have carried out our annual review of elections and recommend that the enclosed report be noted.

### **Combined Elections**

1. The Epping Forest Parliamentary Constituency Election was contested on 6 May 2010 together with the following District Wards:

Buckhurst Hill East  
Buckhurst Hill West  
Chigwell  
Chipping Ongar, Greensted and Marden Ash (2 seats)  
Epping Hemnall  
Epping Lindsey and Thornwood Common  
Grange Hill  
Loughton Alderton  
Loughton Broadway  
Loughton Fairmead  
Loughton Forest  
Loughton Roding  
Loughton St John's  
Loughton St Mary's  
Lower Nazeing  
North Weald Bassett  
Theydon Bois  
Waltham Abbey Honey Lane  
Waltham Abbey Paternoster

2. The Parliamentary election was contested by seven candidates representing:

(a) English Democrats

- (b) The Labour Party
- (c) Liberal Democrats Party
- (d) Conservative Party
- (e) Green Party
- (f) British National Party
- (g) UK Independence Party

The turnout was 67% and Eleanor Laing was elected to represent the Constituency having received 54% of the votes cast.

3. An issue with a signature of an assenter on the nomination paper for an unsuccessful candidate has been referred to the Police and as the investigation is on-going no further comment can be made about this matter.

4. In each District Ward contested, except for Chipping Ongar, Greensted and Marden Ash, one councillor was due to be elected. In the Chipping Ongar, Greensted and Marden Ash Ward there was a need to elect two councillors as a result of a casual vacancy following a resignation earlier in the year. Turnout in the District Wards varied between 74.1% in the Theydon Bois Ward and 53.6% in the Waltham Abbey Paternoster Ward.

5. There are advantages in holding combined elections, eg. costs are shared. However, combining a Parliamentary election with local elections does create practical difficulties as the timetables are different. For instance for the elections on 6 May 2010 the publication of the persons nominated for the local elections was noon on 12 April whereas for the Parliamentary election it was 5 pm on 20 April. This latter date was also the deadline for new postal vote applications and for changes to existing postal or proxy votes making it a very busy day in the Elections Office.

6. One consequence of the difference in timescales was the need to decide whether to issue separate or combined poll cards. It was felt it would be confusing for electors in those parts of the District having District Council elections to receive two poll cards as well as adding substantially to the costs. A combined poll card was issued, therefore, with the disadvantage that they could not be delivered until 15 April – the date of the notice of the Parliamentary election. Poll cards for EU citizens in combined areas had additional wording to remind those electors they could only vote at the local elections – this did not produce any difficulties or enquiries.

7. In the event the comparatively late issue of poll cards did not appear to cause undue problems although some complaints were received about poll cards not being delivered by Royal Mail in parts of the Grange Hill Ward.

**(SSP Comment: We draw attention to two locations where poll cards were said not to have been delivered. The Returning Officer will be checking with the Post Office and the deliverer on the circumstances).**

8. Legislation currently requires any parish/town council election or by-election which would normally have been held on the day of a Parliamentary election to be deferred until three weeks after the date of the Parliamentary election. The element of the cost of any parish/town council elections attributable to deferment is met from Government funds. The Council at its meeting on 20 April 2010 resolved to call on the Government of the day to review the legislation to enable parish/town elections to be held in parallel with Parliamentary elections in order to avoid a drain on the public purse. This letter has been sent to the Lord Chancellor but no reply has yet been received.

9. There were no parish/town council elections scheduled for this year and no by-elections called in the run up to 6 May. Feedback from authorities that held deferred parish/town council elections three weeks after 6 May is that very low turnouts were recorded.

### **Polling Stations**

10. Established polling stations were used except at Theydon Bois where the Church Hall was booked instead of the normal venue at the Village Hall due to the need to set up the latter during the day for the verification of the Parliamentary and District Council ballot papers and the Parliamentary election count immediately after the close of poll.

11. No representations have been received raising issues about the lack of facilities at any polling station.

12. Station visitors were asked to complete an access questionnaire based on a model provided by Scope and the returns do not indicate the need for any modifications to be made to the buildings used or to the procedures for accommodating electors with particular needs.

### **Postal Votes**

13. The total number of Parliamentary postal votes issued was 7,125 plus some packs which just contained the local election papers with approximately 85% returned. 26 were received in the post after polling day.

14. The issue and opening sessions for postal votes went smoothly. The software and scanners used for checking personal identifiers (signature and date of birth) again worked well.

15. There was no evidence of any postal vote fraud although 172 postal votes were rejected because of a lack of comparison between signatures and/or dates of birth.

### **Ballot Papers**

16. The proofs of ballot papers were scrutinised carefully and all ballot papers were printed in the correct format.

### **Spoilt Papers**

17. There were 134 ballot papers rejected in respect of the Epping Forest Constituency Election, 119 for being unmarked or wholly void for uncertainty and 15 where the elector had voted for more than one candidate.

18. The number of ballot papers rejected in respect of the District Council elections varied between five in the Lower Nazeing Ward and 55 in the Waltham Abbey Honey Lane Ward.

19. The reason for the number of rejected papers in the Waltham Abbey Honey Lane Ward is not apparent as the ballot papers were not unduly complicated, requiring voting for one candidate. It is possible that electors decided not to mark their papers when they realised their choice of political party was not standing in the Ward.

### **Police Liaison**

20. Discussions were held with the Police about security for the elections and their response was again very good. A dedicated policing team was in place on Election day with regular visits made to all Polling Stations. There were no instances requiring immediate Police presence outside of the regular visits. There was good support provided at the Count Centre and Police officers escorted the delivery of ballot boxes from the Count Centre to the Civic Offices at the conclusion of the Parliamentary Election Count. From a policing prospective the elections gave little cause for concern. The Police presence during the day was well received by polling station staff.

## **Complaints and Queries Received in the Elections Office**

21. The majority of telephone calls made to the Elections Office were from persons unable to vote due to not being included on the Electoral Register. In all cases this was due to a registration form not having been completed and submitted to the Registration Officer.
22. No formal complaints were received regarding an alleged breach of electoral law other than the issue with a nomination paper mentioned above.

## **Liaison with Brentwood Borough Council and Harlow District Council**

23. As parts of the Brentwood and Ongar Constituency and the Harlow Constituency are in the Epping Forest District, it was necessary to liaise closely with the Returning Officers at Brentwood Borough Council and Harlow District Council who were responsible for running the elections in those parts of the Epping Forest District.
24. The exchange of information was made easier as Harlow changed their election management system in advance of the elections to that used by both this Council and Brentwood Borough Council.
25. In relation to the issue of postal votes, each Returning Officer at the three Councils was responsible for issuing both local and Parliamentary postal votes in their constituencies. District Council election ballot papers for Epping Forest District residents in the Brentwood and Ongar and Harlow Constituencies were generated by us and forwarded to the relevant Returning Officer for issue together with their Parliamentary election ballot papers. This was all achieved within a very tight timescale without any particular issue. The paperwork used by Harlow, in particular the return B envelope, differed to that used by Epping Forest. This resulted in Harlow not realising that our documentation did not have their return address anywhere for their window envelope for electors to use as our B envelope has the Returning Officer's address pre-printed.
26. Arrangements were made to ensure adequate security in relation to the delivery to and collection from the other authorities of ballot papers. Assurances were also obtained from the other Returning Officers of the arrangements made to store Epping Forest District Council ballot papers overnight until collected on the Friday morning following the poll.

## **Count**

27. It had always been the intention in the event of a combined poll to count the Epping Forest Constituency election immediately after the close of poll and to delay the District Council election counts until Friday 7 May 2010.
28. The provision included in the Constitutional Reform and Governance Act 2010 requiring Returning Officers to commence Parliamentary election counts within four hours of the close of poll was not therefore an issue. However, the requirement to verify both Parliamentary election ballot papers and District Council election ballot papers prior to undertaking the Parliamentary election count resulted in the time taken to conclude the Parliamentary count being considerably longer than originally anticipated.
29. There was a difference between the totals of Parliamentary ballot papers at the verification stage and the papers after counting. Despite taking some steps to ascertain the reason for this discrepancy the issue remained unresolved. The Returning Officer called Election Agents together to discuss this matter with them and as it was clear that the difference between the totals would not affect the result of the election, the agents agreed that there was no need to recount the papers in an attempt to reconcile the two totals. One candidate subsequently requested that further steps should be taken to ascertain the reason for the difference in the totals. However, there is a requirement that at the conclusion of the count the counted and rejected ballot papers must be sealed in separate packets and these can only be opened by order of a court following the lodging of an electoral petition. No petition was made

within the 21 day period following the date of poll.

30. It should be emphasised that there is no question of votes having been lost. The correct total of ballots had been verified and the totals for candidates would have been resolved after re-commencing the count if this had been requested by the agents.

31. The District Council elections were commenced at 1 pm on Friday 7 May 2010 and were concluded without any issues. There was a need for a recount in one ward.

32. Despite the need to use both the large and small halls at Theydon Bois Village Hall, the venue is still considered to be the best available. It is situated centrally and has good parking provision.

33. All the results were published on the Council's website within a few hours.

### **Meeting with Election Agents**

34. Election Agents were invited to attend a debriefing on 7 June 2010 in order to express views on the running of the elections and the counts and three attended.

35. The following issues were raised. Officer comments are provided where appropriate.

(a) General:

The election was very well conducted by the electoral officers. All staff were helpful and cheerful both to the candidates and their supporters. All the various phases of the work were carried out efficiently and professionally.

(b) Specific Points:

(i) There were significantly increased turnouts in some wards and this resulted in some minor queues but the Polling Station staff coped well with the increased numbers and there were no serious problems.

(Officer comment : The problems with queues experienced in some parts of the country were not an issue and there is no evidence of any elector being unable to cast a vote due to a queue immediately before the close of the poll at 10 pm)

(ii) Staff taking part in manning the polling stations and dealing with the verification and the count had a very long day and an even longer night. There appeared to be no reasonable way of avoiding this situation. We would not want the declaration of the Constituency result to be delayed until the next afternoon.

(Officer comment: It is considered that the counts were conducted as speedily as possible and the time of the announcement of the result of the Parliamentary election compared favourably with announcements in other parts of the country. The only way in which the count could be speeded up would be to engage additional counters but there is no suitable venue in the District which is large enough to accommodate an increased number of staff. Whilst some Returning Officers aim to be the first to announce the result this has never been the practice at Epping Forest).

(iii) It was unfortunate that all the Constituency candidates were not invited to the platform for the declaration of the Parliamentary result. In spite of the lateness of the hour each candidate probably wished to make a short speech acknowledging the work done by the Returning Officer and to thank their supporters.

(Officer comment: It is regretted that the normal procedure of inviting candidates to the platform was not adopted and this will be at future Parliamentary elections. Whilst only the successful candidate made a speech other candidates could have done so if they had stepped forward.

Election agents were advised beforehand that if their candidates wished to make a speech it should be no longer than five minutes. However, a more positive invitation should have been given after the result had been announced).

(iv) A related point occurs with District elections. Some simple method is required to identify the winner to the general assembly - the winner often being unknown to most of those present. Perhaps the successful candidate could join the Returning Officer on the platform when the announcement is made.

(Officer comment: This needs careful consideration. Successful candidates are not always present. By inviting the successful candidate to join the Returning Officer on the platform it might be considered an opportunity to make a speech which if allowed would increase the time of the count considerably bearing in mind there will be approximately 19 successful candidates each time. Other Returning Officers have been asked if they invite the successful candidates to join them on the platform. At the time of completing this report, 10 replies had been received and all of those responses indicated that the Returning Officers follow our approach. Several referred to the delay which would arise in waiting for successful candidates to come forward bearing in mind the difficulty in getting agents to gather to be advised of the draft result).

**(SSP comment: In discussion with the Returning Officer, it was agreed that he look further into this idea. The Returning Officer would also review including party names for candidates in his future declaration of results).**

(v) The signage used and announcements made during the District count were clear and very helpful.

(vi) The provision of the TV broadcast during the Parliamentary count was much appreciated.

(vii) The break between the Verifications and the Parliamentary count was not realistic and perhaps unnecessary.

(Officer comment: Bearing in mind that the majority of staff had been working since before 7 am a short break of 15 minutes is considered entirely reasonable. Also it was necessary to have a break and clear the hall so that those who were entitled to be at the District Council elections verification but not the Parliamentary count could leave and security staff could check that only those entitled to be present remained).

(viii) It would be helpful if Presiding Officers at the Polling Stations were clearly identified in some way. A standard, re-usable badge is suggested. Some tellers have suggested that they were approached for advice as it was not apparent who was in charge of the polling station.

(Officer comment: Badges were provided and officers visiting polling stations cannot recall seeing a Presiding Officer not wearing a badge. However, Presiding Officers will be reminded in future of the need to wear their badges).

(vix) Tellers much appreciated the action of some Presiding Officers who allowed them to have shelter from the cold and bad weather. Can not consideration be given to an alternative venue to a current one where it is not possible to provide shelter for tellers.

(Officer comment: Tellers are accommodated where possible but at some stations where there is no lobby or a separate room it is necessary for them to remain outside of the building. In some locations where the lobby area is narrow it is a matter for the Presiding Officer to determine whether tellers can be accommodated without hindering entry to /exit from the polling station. The primary consideration in selecting polling stations is accessibility for electors and accommodation for tellers is secondary).

(x) As the owners of buildings used as polling stations are paid for the use why cannot the Returning Officer insist on what is required. For instance in schools it should be possible to use a



room or hall and a separate room or corridor for tellers.

(Officer comment: In most wards there is no other suitable building which can be used as a polling station and a compromise has to be achieved in relation as to what part of a building is used. In relation to schools there is a need to respect the needs of the school and, in particular, security if the school is open on polling day. As indicated above the needs of tellers are secondary).

(xi) The size of the tree forming part of the Conservative logo on the ballot papers appeared small in comparison with other logos.

(Officer comment: The size of the area specified for logos incorporating the word "Conservative" dictates the size of the tree).

(xii) The candidates' expenses return forms are too complicated and the requirements change each year.

(Officer comment: Returning Officers have no control over the returns but if specific issues can be identified these matters will be drawn to the attention of the Electoral Commission.

### **Members' Views**

36. The Committee is invited to express views on the running of the elections held on 6 May 2010 which will be taken into account for future elections.

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

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## Overview and Scrutiny Work Programme – July 2010

<b>Overview and Scrutiny Committee</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Scrutiny of London Underground Ltd	June 2010	Came in June 2010.	<p><del>01 June 2010</del>                      12 July                      06 September                      18 October                      29 November  <b>24 January 2011</b>                      28 February; and                      11 April</p>
(2) OS Annual Review/ Annual Report	April 2011	2010/11 Final Report to go to April 11 meeting.	
(3) Provision of Youth Services within the District	To go to the New Children Services Task and Finish Panel.	Lonica Vanclay (who is the local officer responsible for youth provision in the District) attended July '09 meeting. This item now to go to the new Task and Finish Panel on Children Services and its provision.	
(4) Scrutiny of Epping Forest Local Strategic Partnership – Chairman and Member level EFDC representatives	July 2010	Last came in March 2009 - Representatives of the partnership to report on an annual basis. LSP manager to go to July 10 meeting.	
(5) Scrutiny of Cabinet Forward Plan		Last looked at in March 2010; to review again when Cabinet next consider their forward plan.	

<p>(6) Six monthly review -</p> <p>(a) Monitoring of OS recommendations</p> <p>(b) OS work programme</p>	November 2010	Last completed in November 09	
<p>(7) To review the strategic direction of Epping Forest College, its vision for the future and its relationship with the Community</p>	To October 2010 meeting.	Principal of Epping Forest College addressed the December 2008 meeting. To be invited sometime in 2010.	
<p>(8) Budget Report</p>	January 2011	Last completed January 2010	
<p>(9) Debt Management Review.</p>	<p>Considered in November 2009.</p> <p>A further review to be submitted in July 2010.</p>	<p>Completed – went to November 09 meeting. A sub-committee, consisting of four members has been constituted to look into this topic. To be reviewed again in 6 months time.</p>	
<p>(10) Review of Secondary and Primary education in the District and to focus on the link between Education and deprivation in the District.</p>	In October 2010	To ask the appropriate County Officer or Portfolio Holder to attend a future meeting.	

(11) To receive a presentation from Youth Council members	November 2010	Completed – went to November 09 meeting. As last year, members of the Youth Council will attend with proposals for their funding bid for 2011/12 and give an update on their developing programme.	
(12) To receive a presentation from 'Connectplus25'.	September 2010	'Connectplus25' are responsible for the M25 works for the next thirty years. They wish to engage the community and set up a dialogue with the District.	
(13) Broadband access in the District	Looking to November 2010	BT and one other service provider to be asked to address the O&S Committee on access to broadband and speeds for the Epping Forest District Area.	

<b>Standing Panels</b>			
<b>Housing Standing Panel (Chairman – S Murray)</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Revised Date for meeting schedule 28 April 2011	Low	<b>Scheduled for July 2010</b>	<b>29 July 2010</b> 28 October <b>27 January 2011;</b> and 28 April
(2) Presentation on Homelessness Prevention	Low	<b>Scheduled for July 2010</b>	
(3) Annual Ethnic Monitoring Review of Housing Applicants	High	<b>Scheduled for July 2010</b>	
(4) Review of Housing Performance Indicators	Low	<b>Scheduled for July 2010</b>	
(5) Continuous Housing Improvement Strategy	High	<b>Scheduled for July 2010</b>	
(6) Value for Money Strategy in the Provision of Housing Services	High	<b>Scheduled for July 2010</b>	
(7) Annual Review of Housing Allocations Scheme	High	<b>Scheduled for July 2010</b>	
(8) Housing Service Strategy on Information (Review and Update)	Medium	<b>Scheduled for July 2010</b>	
(9) Housing Service Strategy on Private Rented Sector (Review and Update)	Medium	<b>Scheduled for July 2010</b>	

(10) Housing Service Strategy on Empty Properties (Review and Update)	Medium	<b>Scheduled for July 2010</b>	
(11) Housing Service Strategy on Tenant Participation (Review and Update)	Medium	<b>Scheduled for July 2010</b>	
(12) Tenant Participation Impact Assessment	High	<b>Scheduled for July 2010</b>	
(13) Review of Housing Standards	High	<b>Scheduled for July 2010 or October 2010 meeting dependent on progress with response to the Housing Regulatory Framework</b>	
(14) Six monthly progress report on the Housing Regulatory Framework Action Plan	Low	<b>Scheduled for October 2010</b>	
(15) Six monthly progress report on Housing Business Plan Action Plan	Low	<b>Scheduled for October 2010</b>	
(16) Six monthly progress report on housing strategy action plan	Low	<b>Scheduled for October 2010</b>	
(17) Homelessness Strategy – Action Plan Progress Report	Low	<b>Scheduled for October 2010</b>	
(18) Housing Service Strategy on Rent Arrears (Review and Update)	Medium	<b>Scheduled for October 2010</b>	

(19) Housing Service Strategy on anti-social behaviour (Review and Update)	Medium	<b>Scheduled for October 2010</b>	
(20) Housing Service Strategy on Energy Efficiency (Review and Update)	Medium	<b>Scheduled for October 2010</b>	
(21) Briefing on the proposed Council rent increase for 2010/11	Low	<b>Scheduled for January 2011</b>	
(22) Six-monthly Progress report on Housing Business Plan Action Plan	Low	<b>Scheduled for April (March) 2011</b>	
(23) Six-Monthly Progress Report on Housing Strategy Action Plan	Low	<b>Scheduled for April (March) 2011</b>	
(24) HRA Business Plan 2010/11	High	<b>Scheduled for April (March) 2011</b>	
(25) Tenant Participation Impact Assessment	High	<b>Scheduled for April (March) 2011</b>	
(26) Annual report on the HomeOption Choice Based Lettings Scheme	Low	<b>Scheduled for April (March) 2011</b>	
(27) Housemark Benchmarking Report on Value for Money of Housing Services	Medium	<b>Scheduled for April (March) 2011</b>	



<b>Constitution and Member Services Standing Panel (Chairman – Mrs McEwen)</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Review of May 2010 Elections	24 June 2010		<b>24 June 2010</b> 23 September 16 December; and <b>17 March 2011</b>
(2) Planning/Landowner Roles – Details to be confirmed	24 June 2010		
(3) E Petitions	24 June 2010		
(4) Monitoring Officer (Draft Protocol)	23 September 2010		
(5) Cancellation of meetings because of inclement weather	23 September 2010		
(6) Annual Review of Financial Regulations including E Invoices	16 December 2010		

(7) Annual Review of Contract Standing Orders	16 December 2010		
(8) Member Training Review	17 March 2011		
(9) Annual Review of Officer Delegation	17 March 2011		
(10) Appointments at Annual Council	To be scheduled into Panel Work Programme		
(11) Setting up Assistants to Portfolio Holders	To be scheduled into Panel Work Programme		

<b>Safer, Cleaner, Greener Standing Panel (Chairman – Ms C Edwards)</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Safer, cleaner, greener strategy			<b>1 July 2010</b> 7 October <b>6 January 2011</b> 24 February; and 7 April
(a) Enforcement activity – half yearly report.	July 2010 January 2011		
(b) SCG Strategy Action Plan – half yearly report.	July 2010 January 2011		
(c) Review strategy.	July 2010 January 2011		
(2) Community Safety			
(a) CCTV action plan – half yearly report.	July 2010 January 2011		
(b) Receive reports from Community Safety Scrutiny meetings.	To be determined		

<p>(3) Essex waste procurement process and Joint Committee</p> <p>(a) Receive notes/minutes of Member Partnership Board.</p> <p>(b) Receive notes/minutes of Inter Authority Member Group.</p>	<p>To be determined.</p> <p>To be determined</p>		
<p>(4) Waste Management Partnership Board</p> <p>(a) Receive minutes of Partnership Board.</p> <p>(b) Progress of recycling in flats and similar buildings.</p> <p>(c) Review of weather disruptions to services</p>	<p>To be determined.</p> <p>July 2010 January 2011</p> <p>July 2011</p>		
<p>(5) Nottingham Declaration</p> <p>(a) Progress against Declaration pledges – half yearly reports.</p> <p>(b) Climate change strategy action plan – half yearly reports.</p>	<p>July 2010 January 2011</p> <p>July 2010 January 2011</p>		

<p>(6) Bobbingworth Tip</p> <p>(a) Receive reports on availability for public access.</p> <p>(b) Receive notes/minutes of management/liaison group.</p>	<p>July 2010 To be determined</p> <p>To be determined</p>		
<p>(7) Leisure Issues.</p> <p>(a) Receive progress reports on new sports hall at WASP</p> <p>(c) Receive progress reports on youth initiatives &amp; play strategy.</p>	<p>July 2010</p> <p>October 2010</p>		

<b>Planning Services Standing Panel (Chairman – J Philip)</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) (a) Regional Plan (b) Local Development Framework (c) Gypsy & Traveller Development Plan Document (d) Current Staffing (e) Improvement Plan	Regular updating reports	Final version of the East of England Plan to 2021 complete. Report on new LDF Scheme & implications for S106 agreements, new draft policy required. LDF timeline to be presented. Essex County Council Consultation – Minerals Development Document Site Allocations Issues and Options Paper. EERA Consultation – 2031 Scenarios for Housing & Economic Growth.	<del>3 June 2010</del> 2 September 2 December; and <b>3 March 2011</b>



(5) Comments from the planning agents and amenity groups required matching		New meetings with planning agents and amenity groups can be organised separately or together.	
(6) That a report be produced for the Panel setting out the possible route any planning enforcement investigation could take.		Deferred to March 2010 Panel meeting, report to include financial implications.	
(7) Review the Corporate Planning protocol with respect to dealing with applicants, agents, developers and the local business community to ensure that the highest standards of probity and governance are achieved.	February 2010 meeting		
(8) To review a selection of controversial planning decisions to see if lessons can be learnt from their consideration.		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(9) To consider whether the reporting arrangements for Terms of Reference sections and those from the Section 106s (including how they are negotiated agreed and implemented strategically to secure community benefit), and appeals are sufficient (including how new legislation impacts on these) and recommend accordingly		This item has been extracted from the Terms of Reference of the Provision for Value for Money within Planning Services Task and Finish Panel and the current Panel.	
(10) Best Value Review	Received update in February 2010		



(11) Planning conditions controlling damage to highways infrastructure	December 2010	Referred from the Overview and Scrutiny Committee – March 2010.	
(12) Contributions to affordable housing	New Item		
(13) Arrange visit to other planning authorities to learn from their work.	New Item		

<b>Finance and Performance Management Standing Panel (Chairman – G Mohindra)</b>			
<b>Item</b>	<b>Report Deadline / Priority</b>	<b>Progress / Comments</b>	<b>Programme of Future Meetings</b>
(1) Key Performance Indicators – Performance Outturn 2009/10	Performance report to be considered at year end.	Outturn KPI performance report for 2009/10. Considered at the meeting to be held on 10 June 2010.	<del>10 June 2010</del> 9 September 9 December <b>17 January 2011;</b> and 10 March
(2) Key Performance Indicators – Performance Monitoring 2010/11	Performance report to be considered on a quarterly basis.	Quarterly KPI performance report for 2010/11 to be considered at the meetings to be held on 09 September 2010, 09 December 2010 and 10 March 2011.	
(3) Quarterly Financial Monitoring	Reports to be considered on a quarterly basis.	First quarter Information to be considered September 10, 2 <sup>nd</sup> quarter in December 10 and 3 <sup>rd</sup> quarter figures at the March '11 meeting.	
(4) Council Plan 2006-2010 Performance Monitoring	Performance report considered on an annual basis.	Performance report for the final year of the Council Plan (2009/10) to be considered at the meeting to be held on 10 June 2010.	
(5) Cost and Performance Benchmarking Analysis	Analysis updated on an annual basis to reflect the latest available cost and performance information published by the Audit Commission.	The Audit Commission's annual 'Value for Money Profiles' are published during March each year. The Cost and Performance Benchmarking Analysis is developed from this tool and will be considered by a sub-group of the Scrutiny Panel as early as possible in the municipal year.	
(6) Annual Consultation Plan	Report considered on an annual basis.	Consultation Plan considered at first meeting of each municipal year. Report to go to the June 2010 meeting,	

(7) Detailed Portfolio Budgets	Went to the January 2010 meeting.	Considered at the January '10 - Annual review of the Portfolio Holders Budgets. To go again to the January 2011 meeting.	
(8) Medium Term Financial Strategy		To review the Council's medium term financial strategy January 2011.	
(9) Equality and Diversity - Monitoring and Progress	Report considered on an annual basis.	An annual report in respect of progress against the Council's equality schemes and other initiatives will be made to the first meeting in each municipal year (10 June 2010).	
(10) Capital Outturn 2009/10 and use of transitional relief in 2009/10		Considered at the June 2010 meeting	
(11) Provisional revenue Outturn 2009/10		Considered at the June 2010 meeting	
(12) Fee and Charges	November 2010	Last considered at the November 2009 meeting	

<p>(13) Customer transformation T&amp;F Panel work</p>	<p>Report went to 17 November 2009 meeting. A follow up report to be considered at a subsequent meeting</p>	<p>Work of the disbanded the Customer Transformation Task and Finish Panel was placed with the Finance and Performance Management Standing Scrutiny Panel. The Cabinet at their meeting in February 2009 agreed the recommendations with the proviso at (3) that:</p> <p>“(1) That, given the increasing importance of the Council’s Website for communication, information and electronic interactions, the level of dedicated resource to the maintenance and development of the Council’s Website be increased;</p> <p>(2) That a District Development Fund bid be made to fund an additional Grade 5 Website Support Officer on a three-year fixed term contract as part of the budget process for 2009/10, at an estimated cost of £25,000 per annum subject to job evaluation; and</p> <p>(3) That the Task and Finish Panel on Customer Transformation be requested to reconvene and further prioritise the remaining seven recommendations of the original report.”</p>	
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**Task and Finish Panels**

**Provision of Children Services in the District (Chairman – Mrs L Wagland)**

<b>Item</b>	<b>Report Deadline / Priority</b>		<b>Programme of Future Meetings</b>

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## **Report to Overview and Scrutiny Committee**

**Date of meeting: 12 July 2010**

**Subject: CCTV Service Delivery Plan**

**Officer contact for further information: Mrs C Wiggins / Mr A Petty**

**Committee Secretary: Mr A Hendry**



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

- (1) To note the CCTV Service Delivery Plan and associated Code of Practice;**
- (2) To consider and agree the following key actions from the Action Plan;**
  - a) The resource implications;**
  - b) The bringing together the management and maintenance of all CCTV under the remit of the Safer Communities Unit; and**
- (3) To recommend to Cabinet accordingly.**

### Service Delivery Plan

1. The 2009/10 work programme had within it the requirement for the production of a strategic CCTV document. Attached is the CCTV Service Delivery Plan which was considered and agreed by the Safer Cleaner Greener Scrutiny Panel on 25<sup>th</sup> February 2010.
2. The plan is broken down into the following key sections:
  - i. Some background and historical context;
  - ii. National and local policies;
  - iii. Aims and objectives;
  - iv. The current position in the Epping Forest District;
  - v. The delivery plan and resource implications; and
  - vi. a number of detailed appendices.
3. The plan is intended to pull together within the Safer Communities Unit, most of the Council's CCTV resources with the exception of that operated in the Civic offices, which would be managed by CSS directorate and operated and maintained by ESSD.
4. The use of CCTV has both positive and negative aspects, that there is an apparent general wish for CCTV to be available to support crime reduction and detection, whilst on the other hand there are understandable concerns around the excessive use of CCTV and its effects upon civil liberties. The plan and its associated Code of Practice are intended to enable the Council to achieve a sensible balance between these two.
5. Historically, the council has implemented CCTV without any overarching strategy or principles in place, with the result that there are a multiplicity of systems in place, using differing technologies and very variable results in terms of usable recordings. It is critical that, if we are to have CCTV, and justify its use for crime reduction and detection, the systems are always available and able to provide the quality of recorded images which will enable the law enforcement agencies to use those images as evidence.

6. The plan looks to the next 3 years operationally and five year financially, with the operation stage being in two distinct phases:

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

The action plan sets out these phases in more detail.

7. Maintaining a modern CCTV system is an expensive exercise. Members will note from the plan that there are no proposals for the introduction of fully monitored systems (i.e. permanently manned facilities), relying instead upon direct data downloads or more often remote data downloads or remote camera feeds. The costs of monitored CCTV are prohibitive and probably not justified within the context of the Epping Forest District.

8. Members, when they agreed the Safer, Cleaner, Greener initiative in February 2008, made financial provision to enlarge the Safer Communities Unit, including with it two Anti-social behaviour investigators and a CCTV Operations Officer. Additional Continuing Services Budget provision was made for the new appointments plus £35,000 per annum for the maintenance and upgrading of CCTV facilities.

9. By way of example, the following are typical costs:

- (a) Pan and tilt camera: £1,000 to £3,000 each
- (b) Re-deployable camera: £8,000 to £12,000 each
- (c) Digital data recorder: £1,500 to £2,000 each
- (d) Annual Maintenance: £ 500 to £1,500 depending upon number of Cameras
- (e) Remote (broadband) access £ 350 per annum

There are additional central costs around upgrading computers and screens.

10. The Safer Communities budget for 2009/10 has just under £40,000 revenue allocated for equipment, CCTV etc but no capital allocation. 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 is now in question due to Essex County Council having a seen a 50% reduction in funding from Central Government. 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.

11. Whilst the plan deals with operational issues over a two year period, resourcing issues are dealt with over an extended five year period, reflecting the need to build in the resource capability to acquire new systems and replace and upgrade existing ones. The plan will be reviewed on an annual basis.



## Code of Practice

12. The code of practice is very much a technical working document detailing the operation and use of all CCTV systems under the control of the Council. It is a public document and will be available on our website.

13. It outlines some common definitions and goes on to give a brief explanation of our aims and objectives in relation to CCTV.

14. The main body of the code deals with the way we will handle the data produced by our systems including:

- a. How we deal with request to view data;
- b. Individual subject access requests;
- c. Disclosure of CCTV evidence;
- d. The protection, storage and cataloguing of data; and,
- e. The evaluation, monitoring and audit of the systems.

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**2009 - 2012**

# CCTV SERVICE DELIVERY PLAN



**Epping Forest District Council**

**Authors:**

Caroline Wiggins

Adrian Petty



EPPING FOREST  
DISTRICT COUNCIL

SERVICE DELIVERY PLAN FOR  
CLOSED CIRCUIT TELEVISION  
2009 - 2012



**Owners:**

Epping Forest District Council

**Directorate:**

Environmental & Street Scene

**Address:**

Civic offices

High Street

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CM16 4BZ

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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](http://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 current financial year, 2009/10, £39,530 of revenue is available, broken down into £20,500 for CCTV maintenance and £19,030 for new and upgraded systems. 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 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.

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 £850 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	MONITORING MILESTONES & SUCCESSES
<p><b>System audit and database development</b></p> <p><b>Identify &amp; collate all EFDC owned and supported CCTV schemes across the district.</b></p>	<p>Retrieve &amp; collate all existing CCTV documentation from the various service areas, existing champions &amp; incorporate this into a central database.</p> <p>Visit all CCTV locations &amp; identify system manufacturers, models, cameras types and quantities</p> <p>Systematically review &amp; record all current &amp; lapsed maintenance contracts, suppliers, systems plans &amp; 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 &amp; mapping system completed</p> <p>March 2009</p> <p>Service maintenance needs identified and progressed</p>
<p><b>Consolidate all CCTV budgets</b></p> <p><b>The introduction of a centralised CCTV budget over seen by E&amp;SS</b></p>	<p>Deliver initial &amp; ongoing communication to all EFDC Directorates who previously had responsibility for CCTV systems , outlining the new CCTV role, its vision &amp; 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>Target deadline actions</p> <p>Clearly defined objectives</p> <p>Funds transferred from all current CCTV budget holders within the time constraints set out</p>
<p><b>Clear process for compliancy &amp; best practice procedures for the use of CCTV.</b></p> <p><b>The implementation of a robust administrative system for the effective management of CCTV.</b></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 &amp; stills</p> <p>Identify those personnel who require SIA licences to use EFDC CCTV</p> <p>Create &amp; 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 &amp; 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 are now in place</p> <p>Process flow chart established for CCTV requests and delivered</p> <p>Staff development and training is ongoing and in some areas completed</p> <p>Spend plan spreadsheets up &amp; running</p> <p>RAM tool developed</p> <p>Clear audit trail established for continuity of evidence chain</p>

TASK	HOW	WHO	RESOURCES	WHEN	MONITORING MILESTONES & SUCCESSES
<b>Revised CCTV Code of Practice (CoP)</b>	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 developed independent auditing To be reviewed on a regular basis
<b>A cost effective maintenance contract in place for all EFDC controlled CCTV sites.</b>	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	Short term contracts initially in order to evaluate performance and delivery of service  Currently working on a new maintenance contract template with various levels of service  Current CCTV contractors and suppliers to be enrolled into the HUB scheme Contractor appointed
<b>Partnership working</b>	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 since November 2008. - DELIVERED <ul style="list-style-type: none"> <li>Essex CCTV user Group set up and running since March 2009</li> <li>CCTV Mobile Partnership Vehicle training July 2009</li> <li>National CCTV user group membership joined February 2009</li> <li>District Police to have EFDC CCTV presentations Providing capability and service information</li> </ul>

TASK	HOW	WHO	RESOURCES	WHEN	MONITORING MILESTONES & SUCESSSESS
<p><b>Staff development</b></p>	<p>Continued development of key staff within the Safer Communities team and as appropriate with EFDC</p>	<p>Service Managers Trainee/s HR Dept</p>	<p>Additional funding required</p>	<p>24 months - ongoing</p>	<p>Recognised Qualifications (e.g. BTEC level accreditation)</p> <p>PDP reviews</p> <p>Fully trained members of staff/qualifications</p> <p>Progress to date</p> <ol style="list-style-type: none"> <li>1. BTEC Foundations of CCTV</li> <li>2. BTEC Gathering Video Evidence</li> <li>3. Training on VuePrint system with Clear View Communications</li> <li>4. RIPA update course</li> </ol>

## PHASE 2 – CCTV Enhancement, development and integration.

TASK	HOW	WHO	RESOURCES	WHEN	MONITORING MILESTONES & SUCCESSES
<p><b>Continuous improvement to CCTV infrastructure through development.</b></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</p> <p>Communities for the effective integration of new CCTV products and capability. Partnership agencies and stakeholders</p>	<p>EXISTING</p>	<p>36 months</p>	<p>On time delivery of new projects. Minimal Impact and disruption to service. Seamless Integration</p> <ol style="list-style-type: none"> <li>1. Integration of Buckhurst Hill CCTV sites completed by Autumn 2009</li> <li>2. Enhancement of Upshire &amp; Roundhills sites completed May 2009.</li> <li>3. New CCTV schemes in Bobbingworth and Bakers Lane car park area expected delivery by 2010</li> <li>4. Pyrles Lane upgrade and Norway House expected delivery time end of 2010</li> <li>5. Remote access capability to be introduced starting with key locations inc Buckhurst Hill, Loughton High Road, Debden Broadway &amp; Bobbingworth</li> </ol>
<p><b>The introduction of 'Digital Only' CCTV systems across the district.</b></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>Reduction in costs once in place. Improved Data Security Improved quality of images will increase success rates when using images for evidential purposes Allows for remote access monitoring provides greater flexibility in monitoring and reduces labour costs when image retrieval is required</p> <p>Meeting new digital parameters for CCTV such as frame resolution, frame rates, storage formats, audit trails, export efficiency and methods and download player software capability</p> <p>Replace SVHS system in SCP CCTV mobile unit. 2009 Langston road depot digital switch Integrate Careline sites across the district end of 2011 digital switch over</p>



TASK	HOW	WHO	RESOURCES	WHEN	MONITORING MILESTONES & SUCCESSES
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 &amp; 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>Set up working action group with IT dept's appointed suppliers, and other key services and relevant partners</p> <p>By project and equipment performance studies in conjunction with suppliers and ICT</p> <p>Feasibility study completed – April 2009</p> <p>ICT support ongoing</p> <p>Working group established</p> <p>Remote access solutions identified – May 2009</p> <p>Stand Alone hardware and software purchased – by end of 2009</p> <p>Broadband and Bearer lines package identified May 2009</p> <p>Remote access capability to at least 3 sites not including existing Limes Farm estate by Dec 2009</p> <p>Pilot schemes set up in designated areas</p> <p>Record results through audit trails</p> <p>Identify best way forward</p> <p>Reduction of labour costs</p> <p>Equipment downtimes reduced</p> <p>Improved Security of system</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.surveillancemissioners.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

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
<b>Likelihood of Incidents</b>					

- 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	Location priority	Estimated replacement cost (capital)	Maintenance costs (revenue)	Set-up	Ongoing Annual
2010/11	Debden Broadway (A)		1	£26,200.00	£3,000.00	£250.00	£728.00
	Debden Broadway (B)						
	Burton Road, Debden					£250.00	£728.00
	Vere Road, Debden						
	Pyrles Lane, Debden	E & S S	2	£8,800.00	£1,000.00	£250.00	£728.00
	Civic Offices	CSS	2		£2,000.00	N/A	N/A
	Limes Farm shopping parade, Chigwell	E & S S	2	£4,300.00	£500.00	£250.00	£728.00
	Borders Lane shopping parade, Loughton	E & S S	2	£5,800.00	£1,000.00	£250.00	£728.00
	Clifton Road - Loughton	E & S S Land Drainage	2	£1,500.00	£500.00	£250.00	£728.00
	Loughton Way shops	E & S S	2	£8,400.00	£429.80	£250.00	£728.00
2011/12	Longcroft Rise, Loughton	E & S S	3	£3,700.00	£500.00	£250.00	£728.00
	Roundhills shopping parade, Waltham Abbey	E & S S	3	£4,800.00	£1,000.00	£250.00	£728.00
	Upshire shopping parade, Waltham Abbey	E & S S	4	£2,500.00	£500.00	£250.00	£728.00
	Pelly Court, Epping	E & S S	5	£7,400.00	£1,000.00	£250.00	£728.00
	Langston Road Depot, Loughton	E & S S	4	£3,000.00	£500.00	£250.00	£728.00
2012/13	Hedgers Close, Loughton	E & S S	5	£4,000.00	£500.00	£250.00	£728.00
	Parklands shopping parade, Coopersale, Epping	E & S S	5	£3,300.00	£500.00	£250.00	£728.00
2013/14	Cottis Lane car park	E & S S	4	£3,500.00	£500.00	£250.00	£728.00
	North Weald Airfield	E & S S	5	£5,100.00	£500.00	£250.00	£728.00
	High Road, Loughton	E & S S	4	£11,500.00	£1,000.00	£250.00	£728.00
2014/15	Limes Farm, "yellow block", Chigwell	Housing	1*	£10,500.00	£2,000.00	access already available	£728.00
2015/16	Lower Queens Road car park	E & S S	1*	£7,100.00	£1,000.00	£250.00	£728.00
	Queens Road, Buckhurst Hill	E & S S	1*	£16,400.00	£1,000.00	£250.00	£728.00
	Bobbingworth	E & S S Land Drainage		£11,000.00	£500.00	£250.00	£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
<b>Total</b>				<b>£168,800.00</b>	<b>£20,929.80</b>	<b>£5,500.00</b>	<b>£16,744.00</b>
	* 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.

1	High
2	Med-High
3	Med-High
4	Low-Med
5	Low

Re-Deployable Cameras	
3 Cameras	5 X Sim Cards £317.30 each
1 Camera	No oncosts
Total £1585.10	

Replacement CCTV Signage	£100.00 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**