

NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Tuesday, 31 July 2012 for the purpose of transacting the business set out in the agenda.

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

DEREK MACNAB
Acting Chief Executive

**Democratic Services
Officer:**

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

WEBCASTING NOTICE

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

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

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

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

BUSINESS**1. WEBCASTING INTRODUCTION**

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

2. The Chief Executive will read the following announcement:

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

By entering the chamber’s lower seating area you are 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. MINUTES (Pages 7 - 48)

To approve as a correct record and sign the minutes of the meeting held on 18 June 2012 (attached)

3. DECLARATIONS OF INTEREST

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

4. ANNOUNCEMENTS

(a) Apologies for Absence

(b) Announcements

To consider any announcements by:

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

(c) Epping Forest Countryside – Essex Wildlife Trust Living Landscape Awards

The Chairman to present two Living Landscape Awards from the Essex Wildlife Trust to Councillor Waller, Safer, Greener and Highways Portfolio Holder, and Epping Forest Countryside officers, Nicola Rogers (Assistant Countryside Manager) and Kevin Mason (Countryside Assistant). The awards are part of a national initiative to create landscapes which provide enhanced conditions for wildlife to thrive.

5. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained in paragraph 9.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

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

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

6. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 49 - 70)

To receive reports from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Asset Management and Economic Development Portfolio Holder;
- (c) Report of the Environment Portfolio Holder;
- (d) Report of the Finance and Technology Portfolio Holder;
- (e) Report of the Housing Portfolio Holder;
- (f) Report of the Leisure and Wellbeing Portfolio Holder;
- (g) Report of the Planning Portfolio Holder;
- (h) Report of the Safer, Greener and Highways Portfolio Holder;
- (i) Report of the Support Services Portfolio Holder.

7. QUESTIONS BY MEMBERS WITHOUT NOTICE

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

- (i) reports under item 6 above; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

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

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

In accordance with the Council Procedure Rule 10.8, a time limit of twenty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further 10 minutes to

ensure that all political groups and independent members may have their questions answered.

8. MOTIONS

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

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

9. QUESTIONS BY MEMBERS UNDER NOTICE

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

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

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

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

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

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

10. REPORT OF THE CABINET - SUPPLEMENTARY DISTRICT DEVELOPMENT FUND (DDF) ESTIMATE - ST JOHN'S ROAD, EPPING DEVELOPMENT BRIEF (Pages 71 - 74)

(Councillor Grigg – Asset Management and Economic Development Portfolio Holder)
To consider the attached report.

11. REPORT OF THE CABINET - SUPPLEMENTARY DISTRICT DEVELOPMENT FUND (DDF) ESTIMATE - LOCAL PLAN PROJECT (Pages 75 - 78)

(Councillor Bassett – Planning Portfolio Holder) To consider the attached report.

12. REPORT OF THE CABINET - SUPPLEMENTARY CAPITAL ESTIMATE - REPLACEMENT OF FIVE MOWING MACHINES (Pages 79 - 80)

(Councillor Breare-Hall – Environment Portfolio Holder) To consider the attached

report.

13. ANNUAL REPORT OF THE EXECUTIVE - 2011/12 (Pages 81 - 100)

(Councillor Wagland – Leader of the Council 2011/12) To receive the attached report.

14. OVERVIEW AND SCRUTINY (Pages 101 - 152)

- (a) Report of the Chairman of the Overview and Scrutiny Committee;
- (b) Reports of the Overview and Scrutiny Committee (if any);
- (c) Reports of Overview and Scrutiny Panels (if any); and
- (d) Overview and Scrutiny Annual Report 2011/12.

15. REPORT OF THE LICENSING COMMITTEE - HONEY LANE STREET TRADING (Pages 153 - 156)

(Councillor Angold-Stephens) To consider the attached report.

16. DECISION TAKEN BY THE LEADER OF THE COUNCIL - LOCAL PLAN CABINET COMMITTEE (Pages 157 - 160)

To note the attached decision taken by the Leader of the Council since the last meeting of the Council.

17. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (Pages 161 - 162)

- (a) To receive the attached report from Councillor Angold-Stephens (deputy representative) on the business of the Epping Forest Citizens' Advice Bureau and answers to any questions on that body which may be put without notice;
- (b) To receive reports from other Council representatives (attached - if any) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and
- (c) To request written reports from representatives on joint arrangements and external organisations for future meetings.

18. 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.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Council **Date:** Monday, 18 June 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.15 pm

Members Present: Councillors B Rolfe (Chairman), Mrs M Sartin (Vice-Chairman), K Avey, R Bassett, Mrs H Brady, W Breare-Hall, K Chana, G Chambers, T Church, Mrs T Cochrane, R Cohen, C Finn, Mrs R Gadsby, Mrs A Grigg, Ms J Hart, D Jacobs, Ms H Kane, P Keska, Mrs J Lea, L Leonard, Mrs M McEwen, A Mitchell MBE, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, Mrs T Thomas, H Ulkun, Mrs L Wagland, G Waller, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Other Councillors:

Apologies: K Angold-Stephens, A Boyce, L Girling, P Gode, J Hart, Mrs S Jones, J Knapman, Ms Y Knight, A Lion, H Mann, J Markham, B Sandler and N Wright

Officers Present: D Macnab (Acting Chief Executive), C O'Boyle (Director of Corporate Support Services), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), P Maginnis (Assistant Director (Human Resources)), P Seager (Chairman's Secretary) and T Carne (Public Relations and Marketing Officer)

14. WEBCASTING INTRODUCTION

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

15. DECLARATIONS OF INTEREST

Pursuant to the Council's Staff Code of Conduct, Mr D Macnab (Acting Chief Executive) declared a personal interest in agenda item 4 (Report of the Committee for the Appointment of a Chief Executive). He advised that he had determined that his interest was prejudicial and that he would leave the meeting for the consideration and voting on the matter.

16. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) Mrs S Hawkins

The Chairman stated that it gave him great pleasure to announce that the Council's Executive Assistant, Shirley Hawkins had received a British Empire Medal in the

Queen's Birthday Honours List. He advised that her honour had been awarded in recognition of her services to Epping Forest District Council and for her charity work. The Chairman reported that Shirley had worked for Epping Forest District Council and one of its predecessor authorities, Epping Urban District Council, for 52 years. He also advised that she was involved with several local causes, including St Clare Hospice and the Thornwood Festival.

Councillor Rolfe informed the Council that the British Empire Medal had been reintroduced this year to coincide with the Queen's Diamond Jubilee Year to recognise people who served their local communities.

The Chairman, Councillors Whitbread and Wagland congratulated Shirley and all members of the Council gave her a round of applause.

(b) Announcement by the Leader of the Council

Councillor Whitbread advised that he had recently visited the Food Bank in Langston Road, Loughton and had been impressed with the work they were undertaking. He reported that Council officers were speaking to the Food Bank to establish if the Council could provide any assistance.

(c) Announcements by Portfolio Holders

The Council noted a written report of the Planning Portfolio Holder, Councillor Bassett.

17. ORDER OF BUSINESS

The Chairman sought leave of the Council to bring forward agenda item 5 (Localism Act 2011 – New Standards Arrangements).

RESOLVED:

That agenda item 5 be taken as the next item of business.

18. LOCALISM ACT 2011 - NEW STANDARDS ARRANGEMENTS

The Deputy Monitoring Officer presented a report on the new Standards arrangements required under the Localism Act 2011.

Mr Willett drew attention to the present Standards Committee report to the Council on 27 March 2012 in which details had been provided of the new Standards arrangements for elected and co-opted councillors to come into force on 1 July 2012. At that meeting, the Council had made a number of decisions on the operation of the new arrangements including agreement in principle on key aspects of the new regime.

The Deputy Monitoring Officer reported that since 27 March 2012, further work had been undertaken by the Public Law Partnership to provide standardised arrangements in the local area so as to reassure the public that the same standards would apply to all councils in the area. He drew attention to a proposed constitution for the proposed new Standards Committee, a model Code of Conduct, arrangements for dealing with complaints, the appointment of independent persons,

the register of members' interests, further alterations to the Council's Constitution and a review of the proposed new arrangements.

The attention of the Council was drawn to discussions which had taken place between the Monitoring Officer and representatives of the Essex Association of Local Councils (Epping Forest Branch). As a result of these discussions, it had been understood that local parish and town councils were being commended to establish a Joint Standards Committee for all of the parish and town councils in the District to work alongside the Standards Committee for the District Council. However, it now appeared that some parish councils did not wish to join a Joint Committee of parish and town councils and had indicated a desire to affiliate to the District Council's Standards Committee.

The Deputy Monitoring Officer drew attention to the definition of disclosable pecuniary interests now included within the proposed Code of Conduct.

He informed the Council that since the publication of the report, a notice had appeared in the local press inviting applications for the position of independent persons.

The Council considered the proposed arrangements.

Amendment moved by Councillor Stallan and seconded by Councillor Grigg.

"That the Council:

(a) notes that the draft Code of Conduct, under recommendation (4) does not include the provisions in the current Code for members who have declared prejudicial interests to make representations before leaving a meeting where the public have the same right;

(b) agrees to ask the Standards Committee to submit proposals for a standing order to provide for the circumstances under which a member can make representations of this kind in relation to pecuniary and non pecuniary interests but not to Disclosable Pecuniary Interests (DPI)".

Carried

Report as amended ADOPTED

RESOLVED:

(1) That the following decisions be taken in addition to those taken by the Council on 27 March 2012 regarding the new arrangements;

Standards Committee

(2) That the terms of reference and constitution for a Standards Committee for this Authority comprising nine Councillors including one member of the Cabinet and appointed on pro rata lines be approved as set out in Annex 1 to these minutes;

(3) That the following Councillors be appointed to the Standards Committee for 2012/13:

Conservative Group (6):

Councillors G Chambers, H Kane, A Mitchell, B Rolfe, P Smith, D Stallan.

LRA Group (2):

Councillors K Angold-Stephens, C Pond.

Liberal Democrats Group (1):

Councillor J H Whitehouse;

Joint Standards Committee – Parish and Town Councils

(4) That the current position regarding parish and town councils in the District be noted;

(5) That parish and town councils wishing to participate in the Standards Committee established by the District Council be welcomed;

(6) That all parish and town councils be reassured that whichever option they choose they will continue to receive full support from the Monitoring Officer and her staff;

Code of Conduct

(7) That the draft model Code of Conduct developed by the Public Law Partnership as set out in Annex 2 to these minutes be adopted in respect of this Council and any affiliated parish and town councils;

Arrangements for Dealing with Complaints

(8) That the model complaints procedures under Section 28 of the Localism Act 2011 as developed by the Public Law Partnership be adopted as set out in Annex 3 to these minutes;

Independent Person(s)

(9) That the publication of a notice inviting applications for independent persons to assist with the new Standards arrangements be noted;

(10) That the Council notes that the existing independent members of the Standards Committee may, under Government regulations laid before Parliament, apply for the positions of independent persons provided that they resign as members of the current Standards Committee before 1 July 2012 but that any application from those independent persons must be regarded as provisional until the regulations are made;

(11) That, as the Council will not have completed appointments of independent persons until after 1 July 2012 when the new Standards arrangements come into force, the Monitoring Officer be authorised to seek support from independent persons appointed by other local authorities when required, as an interim measure;

(12) That the number of independent persons to be recruited be no less than two in order to ensure that there is a clear differentiation of responsibilities should an independent person be advising either the Monitoring Officer or a councillor subject to a complaint;

(13) That a Panel be appointed in order to interview the applicants to become independent persons comprising five members of the Council on pro rata lines (i.e., Conservative Group 3, LRA Group 1 and Liberal Democrats Group 1) and that Group Leaders notify the Monitoring Officer of their nominations;

(14) That, notwithstanding the payment of allowances and expenses to independent persons is not part of the statutory duties of the Remuneration Panel, the Panel be invited to give their advice on the level of co-optees' allowance and travel and subsistence which should apply to independent persons, bearing in mind the payment of £500 per annum plus travel/subsistence payable to the independent members of the present Standards Committee;

Register of Member Interests

(15) That the Monitoring Officer be authorised to finalise, in consultation with the Public Law Partnership, the format for registration of members' interests under the new Code of Conduct.

19. REPORT OF THE COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE

Mover: Councillor J M Whitehouse – Chairman of the Committee

Councillor Whitehouse submitted a report outlining the selection process for the post of Chief Executive. He advised that the recruitment advertisement had produced 43 firm applications and that the Committee had agreed proposals by the Council's recruitment advisers, Messrs GatenbySanderson for a long list of 11 candidates. Applicants had then been involved in technical interviews with GatenbySanderson and a peer adviser recruited by the company, the latter being a Chief Executive of another local authority. At its meeting of the Committee on 18 May 2012, a detailed report had been received from GatenbySanderson on the results of the technical interviews and an assessment of each of the long listed candidates. As a result, the Committee had agreed a shortlist of five candidates who had been submitted to a two day recruitment exercise held on 7/8 June 2012.

Councillor Whitehouse emphasised that the Committee had been impressed with the range of applicants and the strength of the long and short lists. He drew attention to the individual characteristics being sought for the post.

The Council noted that, following conclusion of the recruitment exercise on 8 June 2012, the Committee had met and were recommending that Mr Glen Chipp be appointed as Chief Executive. Councillor Whitehouse advised that Mr Chipp currently held the post of Strategic Director for Place with Bath and North East Somerset Council and the responsibilities of his current position covered planning, transport, environmental and waste services, tourism and leisure, culture, economic development and major capital projects.

Councillor Whitehouse advised that under the Local Authorities (Standing Orders) Regulations 2001, the Committee had been required to notify the Proper Officer (Mr I Willett, Assistant to the Chief Executive for this purpose) of the name of the person to whom it was intended to make an offer of an appointment. The regulations were designed to allow the Cabinet members to object if they so wished to any proposed appointment, reflecting the fact that the appointment of a Chief Executive/Head of Paid Service was a matter for the Council rather than the Cabinet. Councillor Whitehouse advised that the Proper Officer had provided each member of the Cabinet with relevant information on the proposed appointee. As a result, all nine members of the Cabinet had confirmed in writing that they had no objection to the proposed appointment to be made.

Councillor Whitehouse confirmed that the Committee had followed the requirements adopted by the Council last year, following recommendations from an Overview and Scrutiny Task and Finish Panel regarding the process for recruitment to top management positions and employment contracts. He advised that the Committee were recommending that a review report should be submitted to the Overview and Scrutiny Committee once this recruitment had been finalised.

Councillor Whitehouse drew attention to the Committee's recommendation expressing appreciation of the work undertaken by Mr D Macnab as Acting Chief Executive.

Councillor Whitehouse thanked the other members of the Appointments Committee for their work throughout the appointment process.

Councillor Wagland thanked Councillor Whitehouse for the manner in which he had chaired meetings and Mr D Macnab for the work which he had undertaken as Acting Chief Executive.

Councillor Murray thanked the other members of the Appointments Committee for their work and paid special tribute to the role of Councillor Whitehouse.

Councillor Whitbread also thanked Councillor Whitehouse and Mr D Macnab for the work they had undertaken.

Councillor Cohen endorsed the comments made by other members about the work undertaken by the Appointments Committee and the Acting Chief Executive.

In response to a question, Councillor Whitehouse advised that the cost of the recruitment exercise as a whole had been approximately £24,000 of which some two thirds had represented the recruitment consultant's fees.

Report as first moved ADOPTED

RESOLVED:

- (1) That Mr G Chipp be offered the position of Chief Executive at the salary indicated in the report subject to final agreement of the contract;
- (2) That the Chairman of this Committee and the Leader of the Council, in consultation with the Assistant Director (Human Resources) and Messrs GatenbySanderson, be authorised to agree a starting date and agree any other detailed terms in the contract as may arise, subject to legal advice from a nominated employment law specialist from the Public Law Partnership;

(3) That the Council notes that the Contract of Employment for the Chief Executive will make specific provision for clear and measurable performance management and supervision based on:

(a) the Council's key objectives;

(b) specific personal targets to be set for the Chief Executive by the Leader of the Council; and

(c) regular review meetings with the Leader of the Council of a kind and at a frequency which meets the best interests of the Council, together with an annual appraisal;

(4) That the Overview and Scrutiny Committee receive a report on the recruitment process for this appointment and be requested to undertake, through the Constitution and Member Services Standing Scrutiny Panel, a review of the Constitution's Employment Procedure Rules in the light of recent legal advice;

(5) That, if necessary, the temporary contract of the Acting Chief Executive be extended if the new Chief Executive takes up his duties after 31 August 2012 and that the Chairman of the Committee and the Leader of the Council be authorised to agree the revised termination date for the temporary contract and Mr Macnab's return to his substantive post of Deputy Chief Executive; and

(6) That the Council's appreciation of Mr D Macnab's work as Acting Chief Executive be recorded.

CHAIRMAN

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ANNEX 1

Terms of Reference for Standards Committee

STANDARDS COMMITTEE	
<p>Appointed by:</p> <p>The Council, in accordance with the provisions of S101 & S102 Local Government Act 1972 and Regulations made thereunder.</p> <p>Appointment of a Standards Committee shall be by full Council</p>	<p>Number of Members:</p> <p>9 elected Members appointed proportionally (of whom 1 member may be a member of the Executive nominated by the Leader of the Council)</p> <p>Parish/Town Councils to be invited to nominate one Parish/Town Councillor to be co-opted as a non-voting member.</p>
<p>Chairman and Vice-Chairman appointed by:</p> <ol style="list-style-type: none"> 1. The Chairman will be elected by the Committee. 2. There will be one Vice-Chairman, who shall be elected by the Committee 3. The Vice-Chairman shall deputise for the Chairman in his or her absence. 	<p>Political Proportionality:</p> <p>Rules of political proportionality apply.</p> <p>Substitutes:</p> <p>Substitutes are permitted for the Standards Committee.</p> <p>Frequency:</p> <p>At least quarterly.</p> <p>Venue:</p> <p>As set out in the approved Calendar of Meetings.</p>
<p>Independent Persons:</p> <p>Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011</p>	<p>The Independent Persons:</p> <p>The Independent Persons to be invited to attend the meetings of the Standards Committee</p>
<p>Quorum:</p> <p>At least 3 voting Members of the Committee</p>	
<p>Terms of Reference:</p>	

The Standards Committee will have the following roles and functions:

- (a) promoting and maintaining high standards of conduct by Members and Co-Opted Members of the authority;
- (b) advising and assisting Parish/Town Councils and Councillors to maintain high standards of conduct and to make recommendation to Parish/Town Councils on improving standards or actions following a finding of a failure by a Parish/Town Councillor to comply with the Code of Conduct
- (c) conducting hearings on behalf of the Parish/Town Councils
- (d) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (e) receiving referrals from the Monitoring Officer into allegations of misconduct in accordance with the Authority's assessment criteria
- (f) receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Members' Code of Conduct;
- (g) advising, training or arranging to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct;
- (h) assisting Councillors and Co-opted Members to observe the Members' Code of Conduct;
- (i) hearing and determining complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;
- (j) advising the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council
- (k) maintaining oversight of the Council's arrangements for dealing with complaints
- (l) informing Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints.
- (m) appointing a Sub-Committee
- (n) granting dispensations after consultation with the Independent Person(s) pursuant to S33(2) (b), (c) and (e) of the Localism Act 2011
- (o) hearing and determining appeals against refusal to grant dispensations by the Monitoring Officer pursuant to S33(2)(a) and (d) of the Localism Act 2011

STANDARDS SUB-COMMITTEE

Appointed by:

The Council, for the purposes of section 28(6 and (7) of the Localism Act 2011

Number of Elected Members:

5 Members appointed from Members of the Standards Committee.

<p>Chairman and Vice-Chairman appointed by:</p> <p>The Chairman shall be elected by the Sub-Committee at each meeting.</p>	<p>Political Proportionality:</p> <p>Rules of political proportionality apply.</p> <p>Substitutes:</p> <p>None.</p> <p>Frequency:</p> <p>As and when required.</p> <p>Venue:</p> <p>To be determined by the Monitoring Officer.</p>
<p>Quorum:</p> <p>At least 3 voting Members</p>	<p>Parish Councillor to be invited to be co-opted as non-voting member in dealing with a complaint against a Parish Councillor</p>
<p>Independent Persons:</p> <p>Appointment approved by full Council in accordance with the provisions of Section 28(6) and (7) of the Localism Act 2011</p>	<p>The Independent Persons:</p> <p>The Independent Person(s) to attend the meetings of the Standards Committee dealing with hearings into allegations of misconduct</p>
<p>Terms of Reference</p> <p>To conduct a Hearing into an allegation that a Member or Co-opted Member has breached the Authority's Code of Conduct.</p> <p>Following a Hearing, make one of the following findings:</p> <ul style="list-style-type: none"> (f) That the Member has not failed to comply with the Code of Conduct and no further action needs to be taken in respect of the matters considered at the Hearing (g) That the Member has failed to comply with the Code of Conduct but that no further action needs to be taken in respect of the matters considered at the Hearing (h) That the Member has failed to comply with the Code of Conduct and that a sanction and/or an informal resolution should be imposed <p>The Sub-Committee may impose any action or combination of actions available to it, or impose any informal resolution or combination of informal resolutions as are available to it by law or policy.</p>	

After making a finding the Sub-Committee shall, as soon as reasonably practicable provide written notice of its findings and the reasons for its decision to the Member and complainant.

ANNEX 2

Localism Act 2011

Promoting and Maintaining High Standards of Conduct in Local Government

CODE OF MEMBER CONDUCT

COUNCILLOR CODE OF CONDUCT

PART 1 GENERAL PROVISIONS

Introduction and interpretation

As a member you are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impacts on the authority.

This Code as a whole is consistent with “Nolan Principles” which are set out in Appendix 1 and the provisions of S29(1) Localism Act 2011

In this Code-

“meeting” means any meeting of:

- (a) the authority
- (b) the Executive of the authority
- (c) any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees or areas committees
whether or not the press and public are excluded from the meeting in question by virtue of a resolution of members
- (d) any briefings by officers and site visits organised by the authority

“relevant period” means the period of 12 months ending with the day on which you give notification to the authority’s monitoring officer of any disclosable pecuniary interests you had at the time of the notification.

“profit or gain” includes any payments or benefits in kind which are subject to Income Tax

“beneficial interest” means having an economic benefit as a legal owner or holding it on trust for the beneficial owner, having a right to the income from the land or securities or a share in it or the right to the proceeds of sale or share of part of the proceeds of sale

“member” includes a co-opted member.

1. Who does the Code apply to?

- (1) This Code applies to all members of the Epping Forest District Council, including co-opted members.
- (2) It is your responsibility to comply with the provisions of this Code.

2. What does the Code apply to?

- (1) You must comply with this Code whenever you -
 - (a) conduct the business of your authority, or
 - (b) you are acting as a representative of your authority,
- (2) This Code has effect in relation to your conduct in your official capacity.
- (3) Where you act as a representative of your authority--
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General obligations

- (1) You must treat others with respect.
- (2) You must uphold the law
- (2) You must not--
 - (a) do anything which may cause your authority to breach any of the equality enactments
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be--
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

4. Confidential Information

You must not--

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where--
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is--
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

5. Conferring an advantage or disadvantage

You--

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of your authority-
 - (i) act in accordance with your authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

PART 2 MEMBERS INTERESTS

6. Disclosable Pecuniary Interests

6.1 You have a disclosable pecuniary interest in any business of your authority if it is of a description set out in 6.2 below and is either:

- (a) An interest of yours
- (b) An interest of your spouse
- (c) An interest of your civil partner
- (d) An interest of a person you are living with as a spouse or civil partner

And in the case of paragraphs 6.1 (b) – 6.1 (d) (“relevant persons”) where you are aware that that relevant person has the interest

6.2 It relates to or is likely to affect:

- i. Any employment, office, trade, profession or vocation carried on by you or a relevant person for profit or gain;
- ii. Any payment or provision of any other financial benefit (other than from your authority) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 other than from a registered political party;
- iii. Any beneficial interest in securities of a body where-
 - 1. that body (to your knowledge) has a place of business or land in the area of your authority and
 - 2. either:
 - a. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - b. the beneficial interest exceeds one hundredth of the total issued share capital of the share capital of that body, if of more than one class, the total nominal value of the shares of any one class
- iv. Any contract for goods, services or works which has not been fully discharged between you or a relevant person and your authority or a body in which you or they have a beneficial interest;
- v. A beneficial interest in any land in your authority’s area

- vi. any tenancy where to your knowledge (a) the landlord is your authority and (b) the tenant is a body in which you or a relevant person has a beneficial interest
- vii. a licence of any land in your authority's area (alone or jointly with others) that you or a relevant person occupy for a month or longer;

7. Other Pecuniary Interests

7.1 You have a pecuniary interest in any business of your authority where either-

- (b) It relates to or is likely to affect:
 - i. any person or body who employs or has appointed you;
 - ii. any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specific in paragraph 6.2.(iii) which has been fully discharged within the last 12 months;

8. Non-Pecuniary Interests

8.1 You have a non-pecuniary interest in any business of your authority where either:-

- (a) it relates to or is likely to affect-
 - i. any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - ii. any body-
 - 1. exercising functions of a public nature;
 - 2. directed to charitable purposes; or
 - 3. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);
 of which you are a member or in a position of general control or management;
 - iii. the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50;
 - iv. a decision in relation to that business which might reasonably be regarded as affecting your wellbeing or the wellbeing of a relevant person to a greater extent than the majority of:-

- (a) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
- (b) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's areas

9. Disclosure of Interests

- 9.1 Subject to sub-paragraphs 9.2 to 9.6, where you have a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of your authority and you are present at a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your register of Interests or for which you have made a pending notification
- 9.2 Sub-paragraph 9.1 only applies where you are aware or ought reasonably to be aware of the existence of the pecuniary or non pecuniary interest
- 9.3 Where you have an interest in any business of your authority which would be disclosable by virtue of paragraph 9.1 but by virtue of paragraph 14 (sensitive interests) details of the interest are not registered in your authority's published register of members' interest and that the interest is a disclosable pecuniary interest (if that is the case) but you need not disclose the nature of the interest to the meeting
- 9.4 Where you have a pecuniary interest in any business of your authority and a function of your authority may be discharged by you acting alone in relation to that business, you must ensure you notify the authority's monitoring officer of the existence and nature of that interest within 28 days of becoming aware that you will be dealing with the matter even if more than 28 days before you will actually deal with the business
- 9.5 Where you have an interest in any business of your authority which would be disclosable by virtue of paragraph 9.1 and you have made an executive decision in relation to that business you must ensure that any written statement of that decision records the existence and nature of that interest
- 9.6 In this paragraph "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000

10. Disclosure of Interests generally

10.1 Subject to sub-paragraph 10.2 where you have a pecuniary interest in any business of your authority you also have a disclosable pecuniary interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment in the public interest.

10.2 You do not have a disclosable pecuniary interest in any business of your authority where that business-

- i. does not affect your financial position or the financial position of a person or body described in paragraph 8.1 (a) i. and ii.;
- ii. does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8.1 (a) i and ii; or
- iii. relates to the functions of your authority in respect of-
 - i. housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - ii. school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - iii. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - iv. an allowance, payment or indemnity given to members;
 - v. any ceremonial honour given to members; and
 - vi. setting council tax or a precept under the Local Government Finance Act 1992

11. Effect of Disclosable Pecuniary Interests on participation

11.1 You may not-

- a. if present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority and
- b. you have a Disclosable Pecuniary Interest in any matter to be considered, or being considered, at the meeting and
- c. you are aware that sub-paragraph 11.1.b is met:
 - i. participate, or participate further, in any discussion of the matter at the meeting, or

ii. participate in any vote, or further vote, taken on the matter at the meeting

and must withdraw from the room or chamber where the meeting considering the business is being held unless you have received a dispensation from the authority's proper officer

d. exercise executive functions in relation to that business and

e. seek improperly to influence a decision about that business

11.2 If a function of your authority may be discharged by a member acting alone and you have a disclosable pecuniary interest in any matter to be dealt with or being dealt with in the course of discharging that function you may not take any steps or any further steps in relation to the matter (except for the purpose of enable the matter to be dealt with otherwise than by yourself)

11.3 If you have a pecuniary interest other than a disclosable pecuniary interest in any business of your authority which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and you are present at a meeting of the authority at which such business is to be considered or is being considered your must:-

11.3.1 Disclose the existence and nature of the interest in accordance with paragraph 9.1 (but subject to paragraph 9.3)

11.3.2 Withdraw from the room or chamber where the meeting considering the business is being held unless you have obtained a dispensation from your authority's proper officer in a case where paragraph 11.3 applies immediately after making your representations or in any other case when the business is under consideration unless you have obtained a dispensation from your authority's proper officer

PART 3 REGISTER OF MEMBERS INTERESTS

12. Registration of Members' Interests

Subject to paragraph 13, you must, within 28 days of—

- (a) this Code being adopted by or applied to your authority; or
- (b) your election, re-election or appointment or re-appointment to office (where that is later), or co-opted onto the authority

register in your authority's register of members' interests (maintained by the Monitoring Officer under Section 29(1) of the Localism Act 2011) details of:

- i. disclosable pecuniary interestsⁱ as referred to in paragraph 6 that you, your spouse, civil partner or person with whom you live as if they were your spouse or civil partner in so far as you are aware of their interests at that time
 - ii. pecuniary interests referred to in paragraph 7 that you have
- (c) Subject to paragraph 13, you must within 28 days of becoming aware of any new disclosable pecuniary interest as referred to in paragraph 6 that you, your spouses, civil partner or person with whom you live as if they were your spouse or civil partner or change to any disclosable pecuniary interest registered under paragraphs 12. i. or ii above

by providing written notification to your authority's Monitoring Officer

13. Sensitive Information

13.1 Where you have a disclosable pecuniary interest referred to in paragraph 6 or pecuniary interest referred to in paragraph 7 and the nature of the interest is such that you and your authority's monitoring officer consider that disclosure of details of the interest could lead to you or a person connected with you being subject to violence or intimidation if the interest is entered in the authority's register then copies of the register available for inspection and any published version of the register should not include details of the interest but may state that you have an interest details of which are withheld under s32(2) of the Localism Act 2011 and/or this paragraph.

13.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 13.1 is no longer sensitive information, notify your authority's monitoring officer

13.3 In this Code “sensitive information” means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subject to violence or intimidation.

CODE OF CONDUCT

APPENDIX 1

THE NOLAN PRINCIPLES AND SECTION 28(1) OF THE LOCALISM ACT 2011

SELFLESSNESS

To serve only the public interest and never improperly confer an advantage or disadvantage on any person

INTEGRITY

Not to place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour

OBJECTIVITY

Make decisions on merit, including when making appointments, awarding Contracts or recommending individuals for rewards or benefits.

ACCOUNTABILITY

To be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their Office.

OPENNESS

To be as open as possible about their actions and those of the Council and should be prepared to give reasons for those actions.

HONESTY

Not to place themselves in situations where their honesty may be questioned, should not behave improperly and should, on all occasions, avoid the appearance of such behaviour.

LEADERSHIP

Should promote and support these principles by leadership and by example and should always act in a way that secures or preserves public confidence.

Complaints Procedure

Introduction

1.1 These “Arrangements” set out how you may make a complaint that an elected or co-opted member of Epping Forest District Council or of a parish council or town council (referred to as a parish council in this document) within the District of Epping Forest has failed to comply with the Councillors’ Code of Conduct, and sets out how the District Council will deal with allegations of a failure to comply with the Councillors’ Code of Conduct.

1.2 Under Section 28(6) and (7) of the Localism Act 2011, the District Council must have in place “Arrangements” under which allegations that a member or co-opted member of the District Council (or of a parish council within the District of Epping Forest), or of a Committee or Sub-Committee of the District Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.

1.3 Such arrangements must provide for the District Council to appoint at least one Independent Person, whose views must be sought by the District Council before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the District Council at any other stage, or by a member (or a member or co-opted member of a parish council) against whom an allegation has been made.

2. The Code of Conduct

2.1 The District Council has adopted a Code of Conduct for Councillors, which is available for inspection on the District Council’s website and on request from Reception at the District Council Civic Offices.

2.2 Each Parish Council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council’s Code of Conduct, you should inspect any website operated by the Parish Council or request the parish clerk to allow you to inspect the Parish Council’s Code of Conduct.

3. Making a complaint

3.1 If you wish to make a complaint, please write to:

The Monitoring Officer
c/o The Local Assessment Officer
Epping Forest District Council
Office of the Chief Executive
Civic Offices, High Street
Epping
CM16 4BZ

or by email to:

shill@eppingforestdc.gov.uk

3.2 The Monitoring Officer is a senior officer of the District Council who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of councillor misconduct.

3.3 In order to ensure that we have all the information which we need to be able to process your complaint, please complete and send us the complaint form, which can be downloaded from the District Council's website, next to the Code of Conduct, and is available on request from Reception at the District Council Civic Offices.

3.4 Please provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form. The Monitoring Officer will consider your request and if granted we will not disclose your name and address to the member against whom you make the complaint, without your prior consent.

3.5 The District Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

3.6 The Local Assessment Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.

3.7 The Complaints Procedure Flowchart is attached at Appendix 1 for your assistance.

4. Will your complaint be investigated?

4.1 The Monitoring Officer will review every complaint received and, may consult with the Independent Person before taking a decision as to whether it:

- (a) merits no further investigation; or
- (b) merits further investigation; or
- (c) should be referred to the Standards Committee,

4.2 This decision will normally be taken within 28 working days of receipt of your complaint. Your complaint will be considered in accordance with the District Council's Assessment Criteria contained at Appendix 2. Where the Monitoring Officer has taken a decision, he/she will inform you of his/her decision and the reasons for that decision. Where the Monitoring Officer requires additional information in order to come to a decision, he/she may come back to you for such information, and may request information from the member against whom your complaint is directed.

4.3 Where your complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Parish Council of your complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation.

4.4 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the member

or the authority make a reasonable offer of informal resolution, but you are not willing to accept the offer, the Monitoring Officer will take account of this in deciding whether the complaint merits further investigation.

4.5 If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police or other regulatory agencies.

5. How is the investigation conducted?

5.1 The District Council has adopted a procedure for the investigation of misconduct complaints, which is attached as Appendix 3 to these arrangements.

5.2 If the Monitoring Officer decides that a complaint merits further investigation, he/she may appoint an Investigating Officer, who may be another senior officer of the District Council, an officer of another authority or an external investigator. The Investigating Officer or Monitoring Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents need to be seen, and who needs to be interviewed.

5.3 The Investigating Officer or Monitoring Officer will normally write to the member against whom you have complained and provide him/her with a copy of your complaint, and ask the member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member, or delay notifying the member until the investigation has progressed sufficiently.

5.4 At the end of his/her investigation, the Investigating Officer or Monitoring Officer will produce a draft report ("the Investigation Report") and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

5.5 Having received and taken account of any comments which you may make on the draft Investigation Report. Where an Investigating Officer has been appointed the Investigating Officer will send his/her final report to the Monitoring Officer.

6. What happens if the Investigating Officer or Monitoring Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

6.1 If an Investigating Officer has been appointed the Monitoring Officer will review the Investigating Officer's report and, if he/she is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned and to the Parish Council, where your complaint relates to a Parish Councillor, notifying you that he/she is satisfied that no further action is required, and give you both a copy of the Investigation Final Report.

(6.2) If an Investigating Officer has been appointed and if the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the Investigating Officer to reconsider his/her report.

7. What happens if the Investigating Officer or Monitoring Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

7.1 If an Investigating Officer has been appointed the Monitoring Officer will review the Investigating Officer's report and will then either send the matter for a hearing before the Standards Sub-Committee or in consultation with the Independent Person seek an informal resolution.

(a) Informal Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Council. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the District Council's Standards Committee (and the Parish Council) for information, but will take no further action.

(b) Hearing

If the Monitoring Officer considers that informal resolution is not appropriate, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigation Report to the Standards Sub-Committee which will conduct a hearing before deciding whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.

The District Council has agreed a procedure for hearing complaints, which is attached as Appendix 4 to these arrangements.

At the hearing, the Investigating Officer or the Monitoring Officer will present her/his report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer or Monitoring Officer may ask you as the complainant to attend and give evidence to the Sub-Committee. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Sub-Committee as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

The Sub-Committee, with the benefit of any advice from the Independent Person, may conclude that the member did not fail to comply with the Code of Conduct, and dismiss the complaint. If the Sub-Committee concludes that the councillor did fail to comply with the Code of Conduct, the Chairman will inform the member of this finding and the Sub-Committee will then consider what action, if any, the Sub-Committee

should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Sub-Committee will give the member an opportunity to make representations to the Sub-Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

8. What action can the Standards Sub-Committee take where a member has failed to comply with the Code of Conduct?

8.1 The District Council has delegated to the Sub-Committee such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Sub-Committee may:-

- (a) Publish its findings in respect of the member's conduct;
- (b) Report its findings to Council (or to the Parish Council) for information;
- (c) Recommend to Council (or to the Parish Council) that the member be issued with a formal censure or be reprimanded
- (d) Recommend to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that the member be removed from any or all Committees or Sub-Committees of the Council;
- (e) Recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- (f) Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the member;
- (g) Recommend to Council to remove (or recommend to the Parish Council that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the District Council (or by the Parish Council);
- (h) Recommend to Council to withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and internet access; or
- (i) Recommend to Council to exclude (or recommend that the Parish Council exclude) the member from the Council's Offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Panel meetings.

8.2 The Sub-Committee has no power to suspend or disqualify the councillor or to withdraw the councillor's basic allowance or any special responsibility allowances.

9 What happens at the end of the hearing?

9.1 At the end of the hearing, the Chairman will state the decision of the Standards Sub-Committee as to whether the member failed to comply with the Code of Conduct and as to any actions which the Sub-Committee resolves to take.

9.2 As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chairman of the Sub-Committee, and send a copy to you, to the member (and to the Parish Council), make that decision notice available for public inspection and report the decision to the next convenient meeting of the Council.

10 Who are the Standards Sub-Committee?

10.1 It is a Sub-Committee comprising of Councillors sitting on the Council's Standards Committee.

10.2 The Standards Committee has decided that it will comprise a maximum of five Councillors of the Council, including not more than one member of the Council's Executive and comprising councillors drawn from all political groups. Subject to those requirements, it is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Council. If the member complained about is a member of a Parish Council, a parish councillor who is a co-opted member of the Standards Committee will also be invited to attend the Sub-Committee.

10.3 The Independent Person is invited to attend all meetings of the Sub-Committee and their views are sought and taken into consideration before the Sub-Committee takes any decision on whether the member's conduct constitutes a failure to comply with the Code of Conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

11 Who is the Independent Person?

11.1 The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is appointed by a positive vote from a majority of all the members of the District Council.

11.2 A person cannot be "independent" if he/she:

- (a) is, or has been within the past 5 years, a member, co-opted member or officer of the District Council;
- (b) is or has been within the past 5 years, a member, co-opted member or officer of a parish council within the District of Epping Forest), or
- (c) is a relative or close friend, of a person within paragraph (a) or (b) above. For this purpose, a "relative" means:
 - (i) spouse or civil partner;
 - (ii) living with the other person as husband and wife or as if they were civil partners;
 - (iii) grandparent of the other person;
 - (iv) a lineal descendent of a grandparent of the other person;
 - (v) a parent, sibling or child of a person within paragraphs (a) or (b) above
 - (vi) a spouse or civil partner of a person within paragraphs (iii), (iv) or (v) above; or
 - (vii) living with a person within paragraphs (iii), (iv) or (v) above as husband and wife or as if they were civil partners.

12. Revision of these arrangements

The District Council may by resolution agree to amend these arrangements, and has delegated to the Chairman of the Sub-Committee the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

13. Appeals

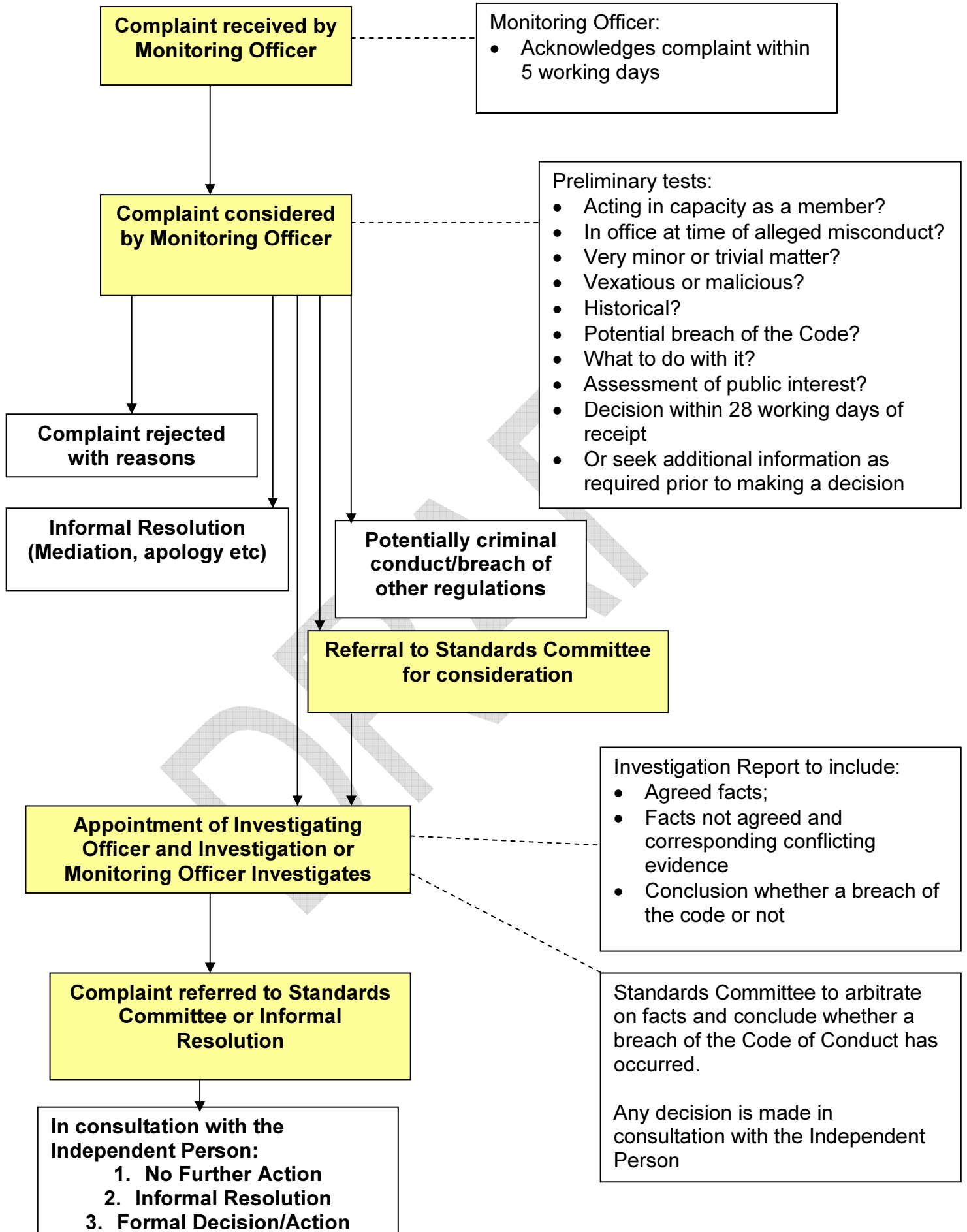
13.1 There is no right of appeal for you as complainant or for the councillor

against a decision of the Monitoring Officer or of the Sub-Committee.

13.2 If you feel that the District Council has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

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Appendix 1 Complaints Procedure Flowchart



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APPENDIX 2

STANDARDS COMPLAINTS ASSESSMENT CRITERIA

Complaints which would not normally be referred for investigation

1. The complaint is not considered sufficiently serious to warrant investigation; or
2. The complaint appears to be simply motivated by malice or is “tit-for-tat”; or
3. The complaint appears to be politically motivated; or
4. It appears that there can be no breach of the Code of Conduct; for example, that it relates to the Councillor’s private life or is about dissatisfaction with a Council decision; or
5. It is about someone who is no longer a Councillor; or
6. There is insufficient information available for a referral; or
7. The complaint has not been received within 3 months of the alleged misconduct unless there are exceptional circumstances eg. allegation of bullying, harassment etc; or
8. The matter occurred so long ago that it would be difficult for a fair investigation to be carried out; or
9. The same, or similar, complaint has already been investigated and there is nothing further to be gained by seeking the sanctions available to the Standards Committee; or
10. It is an anonymous complaint, unless it includes sufficient documentary evidence to show a significant breach of the Code of Conduct; or
11. Where the member complained of has apologised and/or admitted making an error and the matter would not warrant a more serious sanction

Complaints which may be referred to the Standards Committee

1. It is serious enough, if proven, to justify the range of actions available to the Standards Committee; or
2. There are individual acts of minor misconduct which appear to be a part of a continuing pattern of behaviour that is unreasonably disrupting the business of the Council and there is no other avenue left to deal with it other than by way of an investigation; or

3. When the complaint comes from a senior officer of the Council, such as the Chief Executive or the Monitoring Officer and it would be difficult for the Monitoring Officer to investigate; or

4. The complaint is about a high profile Member such as the Leader of the Council and it would be difficult for the Monitoring Officer to investigate

5. Such other complaints as the Monitoring Officer considers it would not be appropriate for him to investigate

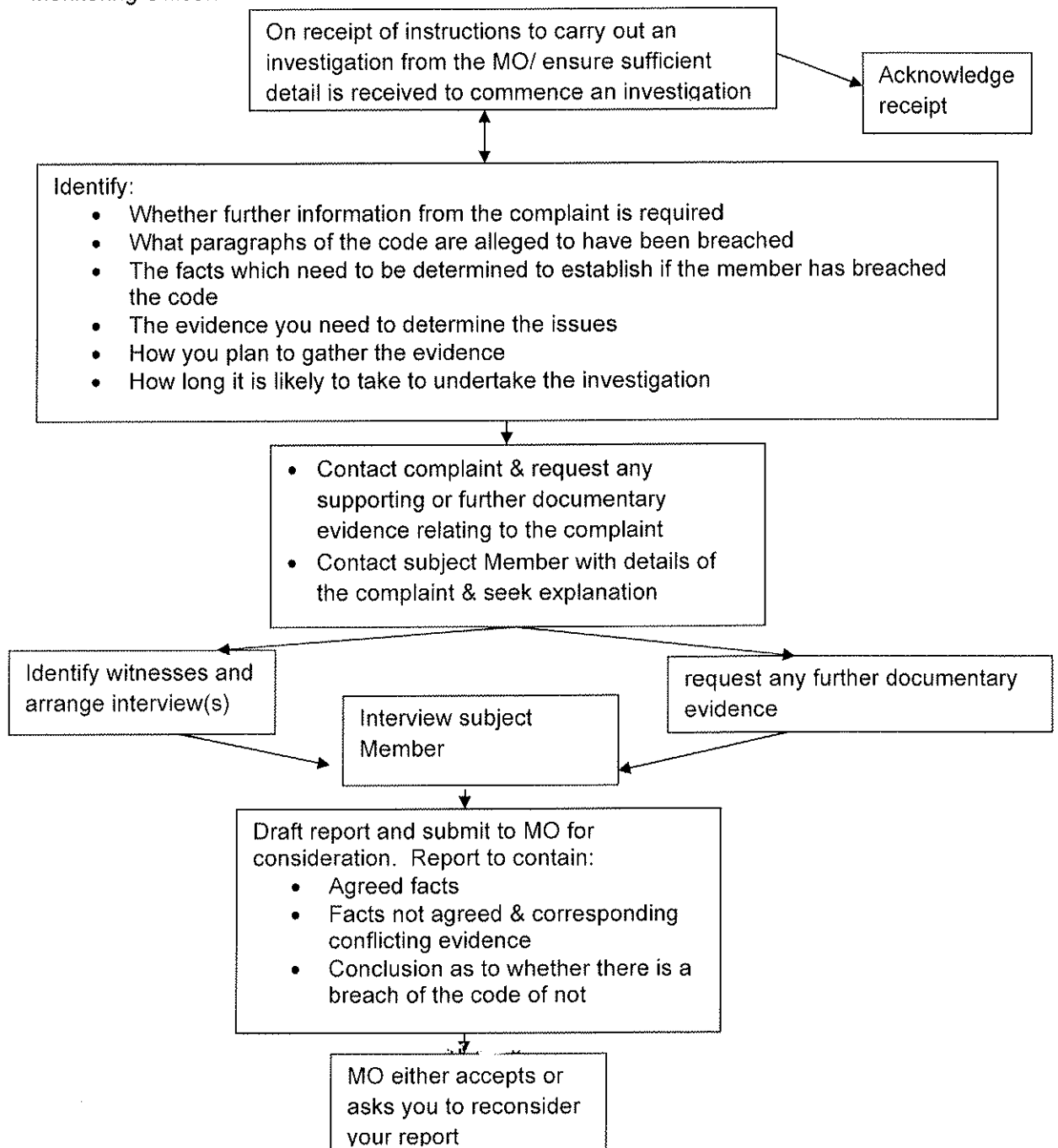
Whilst complainants must be confident that complaints are taken seriously and dealt with appropriately, deciding to investigate a complaint or to take further action will cost both public money and officers' and members' time. This is an important consideration where the complaint is relatively minor.

STANDARDS COMPLAINTS INVESTIGATION PROCEDURE

Investigation Procedure

You should maintain a written record to demonstrate what was considered at the start of each investigation and plan how you intend to carry out the investigation, the paragraphs of the code that may have been breached, the facts you need to determine to establish, the evidence you will need, how you plan to gather the evidence and how long it will take to conclude your investigation. Remember there is no provision in the Localism Act 2011 compelling Members or witnesses to co-operate with your investigation.

A written Investigation Report will need to be prepared for consideration by the Council's Monitoring Officer.



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STANDARDS SUB-COMMITTEE HEARING PROCEDURE

<u>Item No.</u>	<u>Procedure</u>
1	<p style="text-align: center;"><u>Quorum</u></p> <p>1.1. Three Members must be present throughout the hearing to form a quorum.</p> <p>1.2. Where the complaint refers to a Parish Councillor a non voting Parish member of the Standards committee may be present</p> <p>1.3. The Sub-Committee shall nominate a Chairman for the meeting</p>
2	<p style="text-align: center;"><u>Opening</u></p> <p>2.1 The Chairman explains the procedure for the hearing and reminds all parties to turn off mobile phones, audible alarms and pagers etc.</p> <p>2.2 The Chairman asks all present to introduce themselves</p> <p>2.3 The Councillor will be asked whether they wish to briefly outline their position</p>
3	<p style="text-align: center;"><u>The Complaint</u></p> <p>3.1 The Investigating Officer shall be invited to present their report including any documentary evidence or other material (and to call witnesses as required by the Investigating Officer). This report and documentary evidence must be based on the complaint made to the Council – no new points will be allowed.</p> <p>3.2 The Councillor against whom the complaint has been made (or their representative) may question the Investigating Officer upon the content of their report and any witnesses called by the Investigating Officer. (This is the Councillor's opportunity to ask questions rising from the Investigators report and not to make a statement)</p> <p>3.3 Members of the Sub-Committee may question the</p>

	Investigating Officer upon the content of their report and/or any witnesses called by the Investigating Officer
4	<p style="text-align: center;"><u>The Councillor's case</u></p> <p>4.1 The Councillor against whom the complaint has been made (or their representative) may present their case (and call any witnesses as required by the Councillor or their representative)</p> <p>4.2 The Investigating Officer may question the Councillor and/or any witnesses</p> <p>4.3 Members of the Sub-Committee may question the Member and/or any witnesses</p>
5	<p style="text-align: center;"><u>Summing Up</u></p> <p>5.1 The Investigating Officer may sum up the Complaint</p> <p>5.2 The Member (or their representative) may sum up their case.</p>
6	<p style="text-align: center;"><u>Decision</u></p> <p>6.1 Members of the Sub-Committee will deliberate in private to consider the complaint in consultation with the Independent Person prior to reaching a decision</p> <p>6.2 Upon the Sub-Committee's return the Chairman will announce the Sub-Committee's decision in the following terms:-</p> <p>6.2.1 The Sub-Committee decides that the Member has failed to follow the Code of Conduct or</p> <p>6.2.2 The Sub-Committee decides that the Member has not failed to follow the Code of Conduct</p> <p>6.2.3 The Sub-Committee will give reasons for their decision</p> <p>6.3 If the Sub-Committee decides that the Member has failed to follow the Code of Conduct the Panel will consider any representations from the Investigator and/or the Member as to:</p> <p>6.3.1 Whether any action should be taken and</p> <p>6.3.2 What form any action should take</p> <p>6.4 The Sub-Committee will then deliberate in private to consider</p>

	<p>what action if any should be taken in consultation with the Independent Person</p>
6.5	<p>On the Sub-Committee's return the Chairman will announce the Sub-Committee's decision (in relation to a Parish Councillor a recommendation to the Parish Council)</p>
6.6	<p>The Sub-Committee will consider whether it should make any recommendations to the Council or in relation to a Parish Councillor to the Parish Council with a view to promoting high standards of conduct among Members</p>
6.7	<p>The Chairman will confirm that a full written decision shall be issued within 7 working days following the hearing and that the Sub-Committee's findings to be published.</p>

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Report to the Council

Subject: Environment Portfolio

Date: 31 July 2012

Portfolio Holder: Councillor Will Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

The County Council has now published the audited data for recycling performance for 2011/12. Our performance for 2011/12 was 59.86% exceeding our target of 58%. However, our target for 2012/13 is 60%, which means that we must continue to work hard to maintain and improve our recycling performance through a range of initiatives including:

- continued introduction of bespoke recycling systems in flats and communal buildings
- recycling of street cleansing arisings
- educative programmes to ensure resident awareness of the importance of recycling remains high

I chaired my first meeting of the Waste Management Partnership Board at the beginning of the month when we discussed a range of issues including those referred to above and a recently completed audit of the waste found in residual bins, the results of which will be important in guiding how we approach our educative programmes in the future.

At Cabinet on 11 July we noted the recent changes in the level of fixed penalty notice (FPN) for offences relating to household waste receptacles and resolved to adopt the Government default level of £60.00, reduced to £40.00 if paid early. It is worthy of note that we have only issued 10 such FPNs compared to nearly 50 in relation to fly-tipping and associated offences. We shall continue our approach of assisting and guiding residents who do not recycle or handle their household waste properly, reserving the use of FPNs for the most intransigent.

We are continuing our attempt to attract funding from Government towards the introduction of a food waste collection in flats. This proving to be a lengthy and complex process, the outcome of which remains uncertain.

Environmental Health & Neighbourhoods

In the first quarter of 2011/12 the Environment & Neighbourhoods Officers (ENOs) team carried out routine litter and dog fouling patrols in High Road, Loughton,

Queens Road, Buckhurst Hill, Sun Street, Waltham Abbey, High Street, Epping and Roding Recreation Park in Loughton/Buckhurst Hill.

Five fixed penalty notices have subsequently been offered for littering offences, three have been paid, two at a discounted rate of £50 and one at the full penalty fee of £75. (1 FPN was cancelled and reissued). One FPN was unpaid and the case is due to be passed to Legal to instigate prosecution proceedings.

Officers noted that there appeared to be a change in behaviour since they started patrolling in 2011/12, with clearly more litter being placed in bins. In part this appears to be due to members of the public being more aware of uniformed officers targeting littering offences, but there appeared to be a general improvement in the use of litter bins. On the theme, the ENO team participated in the annual Crucial Crew Event, educating all year six EFDC school children in private, state and home schooling, running sessions on littering and dog fouling.

As well as the programmed work, the ENO team have been as busy as usual at this time of year with noise and other nuisance complaints. The recommencement of the Epping to Ongar Railway (EOR) in mid-April with steam and diesel trains operating has caused a considerable number of complaints, particularly from residents living close to the stations at Ongar and North Weald. ENOs have met with the owner and manager of the site and raised various concerns predominately in relation to noise and air pollution. A positive response has been received from EOR but it remains to be seen if they are able to make any significant changes and manage the operation of the EOR without bringing them into conflict with some residents. There has subsequently been a drop in the level of complaint, after the initial busy opening weekend, with some reports that there has been an improvement in the level of disturbance, but complaints still persist. The ENO team is currently seeking clarification on the legal position of pursuing formal action before liaising with EOR and investigating the complaints further.

At the start of the quarter Members of the Cabinet agreed to support the implementation of Dog Control Orders (DCOs) subject to a wider consultation and consideration of any comments that are received. The final consultation documents are currently being drafted. Subject to finalising the consultation documents and arranging for the consultation to be on our website the consultation should commence before the end of July, for a period of two months. The possibility of introducing DCOs was initially raised by the Corporation of London with regard to public land in their control. Members decided that consultation be undertaken on the introduction of Dog Control Orders in respect of:

- (a) the fouling of land by dogs and removal of dog faeces;
- (b) the putting, and keeping a dog on the lead when directed to do so by an authorised officer; and
- (c) limiting the number of dogs which a person may take onto any public land to four.

The ENO team continue to spend a considerable amount of time investigating fly-tipping offences. In May, three fly-tippers were successfully prosecuted resulting in fines of £165, £500 and a six month community order, with a two month curfew between 8pm and 6am. Costs were awarded to the Council totalling over £2,200. The ENO team currently have two cases pending prosecution, where the defendants have elected to go to Crown Court rather than be heard in the Magistrates Court.

Report to the Council

Committee: Cabinet

Date: 31 July 2012

Subject: Finance and Technology Portfolio

Portfolio Holder: Councillor Syd Stavrou

Recommending:

That the report of the Finance & Technology Portfolio Holder be noted

Accountancy

Prior to last year, the Accounts and Audit Regulations required the approval at June Council of the draft Statutory Statement of Accounts. The latest update of the Regulations has removed this requirement so the Accounts will not be presented to Council until September, when the audited set will be on the agenda. The outturn reports for both revenue and capital were presented to the Finance and Performance Management Cabinet Committee on 25 June and the Finance and Performance Management Scrutiny Panel on 19 June. I do not want to repeat the contents of those reports but, as not all of you will have attended one of those meetings, it is worth giving you the headlines.

The revenue outturn showed that the Council had again proved more successful in delivering savings than had been anticipated. The revised estimates had changed the anticipated use of reserves from £171,000 to adding £69,000 to the General Fund Reserve but the outturn actually saw £547,000 being added. These additional savings arose from a range of Council services including, the corporate improvement budget, building maintenance, advertising and administration as well as the salary savings under the external recruitment restrictions. There was an unbudgeted saving of £63,000 on the bad debt provision, as the external auditors had requested a review of this provision as they felt it was excessively prudent.

The outturn on the Housing Revenue Account was a deficit of £1.39 million. This was £444,000 worse than the revised estimate, although the outturn included a transfer of £650,000 to the Insurance Fund that had not been included in the revised estimates. There has for sometime been a possibility that the Council might become liable for the settlement of claims relating to exposure to asbestos. There have been Court proceedings to determine whether liability to settle any claims rests with the Council's current insurers or the insurers at the time of employee's exposure to the risk. On 28 March 2012 the Supreme Court decided that liability rests with the insurers at the time of potential exposure. The insurers at that time are no longer trading and it is unlikely that there are sufficient assets to meet the totality of any claims, which makes it likely that some liability will fall on the scheme creditors of which this Council is one. Given that the claims relate to former Housing employees it is felt that provision should be made within the Insurance Fund for this eventuality by charging £650,000 to the Housing Revenue Account. Any eventual liability that crystallises can then be charged to the Fund and amounts remaining returned to the HRA. This

charge was not included in either the original or revised estimates as the outcome was uncertain until the year end.

The capital outturn detailed spending of £9.56 million on a range of schemes, this was £2.8 million lower than the revised estimate. However, this was due to slippage on schemes rather than savings and so the budgets will be carried forward to complete the schemes in the current financial year. The largest underspends were £495,000 on the all weather pitch at Waltham Abbey on the General Fund and £449,000 on small capital repairs on the Housing Revenue Account.

Benefits

This report is being written before the Cabinet meeting on 23 July. At that meeting the Cabinet will consider a draft scheme for local support for Council Tax and agree on a scheme that can be issued for public consultation. As part of the Government's wide programme of welfare reform the current national scheme of Council Tax Benefit is being replaced by local schemes that have to be constructed by each billing authority. To save £500 million nationally the Government will only give local authorities 90% of what is currently being paid out. Local authorities are required to protect claimants of pension age and as they represent about half of the caseload this means a scheme is needed that delivers a 20% saving on benefits to those of working age. This will mean many residents who have not had to pay any Council Tax in the past will now be faced with annual bills of around £300.

This is a very significant change for all local authorities and officers have been working with colleagues across Essex to construct a scheme which has as many common features as is possible. If any Members are not familiar with this issue I strongly recommend that they read the background report that went to the Finance and Performance Management Cabinet Committee on 25 June and the report that will be considered by Cabinet on 23 July.

Revenues

There are still few signs of improvement in the economy and the ongoing difficulties provide a challenging environment for the collection of local taxes. However, the statistics for the first quarter of 2012/13 are encouraging. The Council Tax collection rate at the end of June was 27.4%, which was slightly down on the 27.5% at the same time last year but is still in line with the annual target of 97.8%. The Non-Domestic Rate collection rate at the end of June was 30.8%, which is an improvement on the 30.4% at the same time last year.

Performance Management

Key Performance Indicators 2011/12

A range of Key Performance Indicators (KPI) for 2011/12 were adopted by the Finance and Performance Management Cabinet Committee and Scrutiny Panel in March 2011, and a target was set for at least 70% of the indicators to achieve target performance by the end of the year. The outturn position with regard to the achievement of target performance for the KPIs was as follows:

- 22 (66.6%) indicators achieved the performance target for 2011/12; and

- 11 (33.3%) indicators did not achieve the performance target for 2011/12.

Whilst the overall number of indicators achieving target was slightly below 70%, the consistency and direction of performance is encouraging. Detailed cumulative performance reports for each KPI were considered by the Finance and Performance Management Scrutiny Panel at its meeting in June 2012.

Key Performance Indicators 2012/13

The Finance and Performance Management Cabinet Committee and Scrutiny Panel have confirmed the targets for the KPIs for the current year, with reference to the respective outturn position for 2011/12. Improvement plans are now being developed for each KPI, identifying actions to achieve target performance, which will be agreed by Management Board.

Although the Council's overall aim of achieving target performance for at least 70% of the KPIs for 2011/12 was not quite achieved, this corporate performance improvement target has been re-adopted for 2012/13 by the Cabinet Committee and Scrutiny Panel.

Key Objectives 2011/12

Outturn progress against the Council's Key Objectives for 2011/12, which reflect national and local priorities, specific service challenges, and provide a statement of the authority's plans for the year, was reported to the Cabinet and the Overview and Scrutiny Committee in June 2012. Officers are currently reviewing arrangements for the reporting of progress against the Key Objectives for 2012/13, which will be made in the September 2012 cycle of meetings.

Technology

Business Continuity

Members may recall that a decision was made to enhance the Council's business continuity arrangements by locating some servers at Parsonage Court and establishing a wireless link to them. A tender exercise was conducted for the provision of this service, with the provision of wireless broadband to the community as a useful spin off. The successful service provider, Buzcom, have now installed and configured their equipment within the Civic Offices tower. This equipment is housed in a room alongside the emergency services system (Airwave) and this area has been experiencing air conditioning problems during the last few months. It will not be possible to fully activate the wireless system until Airwave have resolved their equipment issues. The Council's Facilities Management section has been in contact with Airwave and continues to monitor the situation. However, it is anticipated that the business continuity link to Parsonage Court, and the associated wireless broadband for residents and businesses, will be available during August. As contracts will be between Buzcom and individual residents and businesses the Council will not be taking an active role in promoting Buzcom's services over those offered by other providers. It is anticipated that Buzcom will conduct their own marketing in due course.

Wireless Network Coverage within the Council

Wireless Internet access is now available in the Committee Rooms for those Members with their own wireless enabled devices. The security access key is available from Democratic Services and this same key will enable internet access to both the Committee Rooms and Council Chamber. If anyone experiences difficulty in setting up or accessing this connection, please contact the ICT helpdesk on extension 4888.

Telephone Switch Replacement

The current supplier, Siemens, have agreed to extend support for the ageing telephone switch until 2017. ICT will shortly complete their initial supplier evaluation and will present a report to Cabinet in September. This report will also cover the capital requirements for the next stage of the Business Continuity project.

Report to the Council

Committee: Cabinet

Date: 31 July 2012

Subject: Housing Portfolio

Portfolio Holder: Councillor David Stallan

Recommending:

That the report of the Housing Portfolio Holder be noted.

Council Housebuilding Programme – Update

Members will be aware that the Council is introducing a new Council Housebuilding Programme, initially based on the construction of around 20 new homes each year for at least 6 years. These will be the first new affordable homes built by the Council for over 25 years.

Following an advert being placed in the Official Journal of the European Union (OJEU), in January 2012, inviting interested organisations to complete Pre-Qualification Questionnaires (PQQs), the PQQ process was completed at the end of June 2012. Thirteen completed PQQs were received and, following a detailed assessment/scoring of each PQQ using the Cabinet's agreed Selection Criteria, and a formal validation/moderation process involving senior housing officers and myself, six organisations have been shortlisted to provide detailed tender submissions, comprising five housing associations and one private organisation.

The formal Invitation to Tender is due to be issued at the end of July 2012 and, due to EU procurement requirements, it is currently planned that the Development Agent will be selected at the meeting of the Cabinet in December 2012, and that the contract with the appointed Development Agent will be signed around January 2013.

At its meeting to be held on 23 July 2012, the Cabinet will be considering my report and recommendations on the proposed initial list of potential development sites for the Housebuilding Programme, for which the Council's Development Agent, when appointed, will be asked to undertake detailed Development and Financial Appraisals.

It is envisaged that the development of the first sites will commence in Summer 2014, and be completed in Winter 2014/15.

Customer Service Excellence Award (Annual Assessment) – Housing Directorate

Since 2004, the Housing Directorate has held the prestigious Government Standard for Customer Service Excellence in the Public Sector (formally known as Charter Mark). To obtain the Customer Service Excellence Award, organisations must meet 57 separate assessment criteria.

Continuous compliance with the criteria is monitored through an annual assessment by an Independent Assessor. This year's assessment was undertaken on 12 & 13 July, when the Assessor visited the Housing Repairs Service and the new Limes Centre

(incorporating the Housing Office) in Chigwell. The Assessor also met with the Housing Management Team and both the Housing Resources Manager and Housing Assets Manager. He also undertook a comprehensive Document Review.

I am pleased to report that the Assessor found that the Housing Directorate continues to meet the Standard. In addition, "Compliance +" accreditation was given for two initiatives. Firstly, for Housing's implementation of our unique "in-sourced" External Repairs Management Model with Mears and, secondly, for the way in which the Directorate has managed some recent changes in housing law relating to succession. A number of other good practices were also identified.

Having the Customer Service Excellence Award gives confidence to our tenants, applicants, leaseholders, private sector housing customers and other clients that the Housing Directorate provides a high quality, customer-focused service, which it strives to continuously improve.

Member Information Evening on the Housing Elements of the Localism Act 2011

I would like to thank those 30 Members who attended an Information Evening given by senior housing officers on 14 June 2012 on the housing elements of the Localism Act 2011. Under the Act, housing providers such as the Council have been given additional powers to enable decisions to be taken locally about the management and allocation of social housing.

At the session, we heard about:

- The ability to offer new tenants fixed term flexible tenancies, instead of "lifetime" secure tenancies;
- Changes to succession rules for all new tenants;
- The possibility of having a new eligibility criteria for both new and current housing applicants joining/remaining on the Housing Register, perhaps excluding applicants who have not lived within the District for a specified number of years; and
- The ability to discharge the Council's homelessness duty by placing homeless households in the private rented sector, without the agreement of the applicant.

I will shortly be considering, and making two Portfolio Holder Decisions on, the key principles that I would like officers to concentrate on in respect of both the Council's Tenancy Policy (which will set out the Council's approach to the use or otherwise of fixed term tenancies) and a revised Housing Allocations Scheme.

Officers will then produce a Draft Tenancy Policy and a revised Housing Allocations Scheme, for detailed consideration by the Housing Scrutiny Panel later in the year, who will be invited to recommend the final version of the Tenancy Policy and revised Allocations Scheme to the Cabinet for adoption.

Presentation by Mears - "EFDC's Housing Repairs Service – One Year On"

Following the introduction of the innovative "insourcing" partnership model between the Council's Housing Repairs Service and Mears, the Council is now using Mears' own Housing Repairs IT System to record and manage all responsive and empty property repairs. This includes offering tenants appointments for all repairs, irrespective of the priority.

Now that Mears has been responsible for delivering the Council's Housing Repairs Service for just over a year, which as well as providing much better customer service has also significantly reduced response repair times, **all Members** are invited to the first part of the Housing Scrutiny Panel meeting, **to be held in the Committee Room at the Civic Offices at 5.30pm on 7 August 2012**, to receive a presentation from officers and Mike Gammack, the Partnership Director from Mears who has day-to-day responsibility for the Council's Housing Repairs Service. The presentation will be on "EFDC's Housing Repairs Service – One Year On", and will include a short demonstration of Mears' Housing Repairs IT system.

Licensing of Park Homes Sites – Further Consideration of Issues by the Housing Scrutiny Panel and Cabinet

Most members will be aware that, following detailed consultation with site owners and park home residents associations, the Cabinet agreed in June 2011 the recommendations of the Housing Scrutiny Panel to adopt new site licence conditions, based on the Model Standards for Caravan Sites in England 2008 - with some variations. It was also agreed to allow certain contraventions that are in existence on the date the new site licence is issued.

Following the meeting, officers began making inspections of all the sites to record the specific details of the individual sites prior to issuing licences. However, whilst this process was underway, it became apparent that before officers could issue the new site licences and enforce the conditions attached to them, Members would need to provide further clarity on how they wanted some of the definitions in the conditions to be interpreted.

Therefore, following further consultation with park home residents, I am grateful to the Housing Scrutiny Panel for considering in detail, at its meeting on 28 June 2012, the issues that have arisen.

The Scrutiny Panel has now made its recommendations, which are due to be considered by the Cabinet on 23 July 2012. The Scrutiny Panel's recommendations include the proposed interpretation of some of the conditions and also the allowance of specific additional contraventions to the site licence conditions - mainly concerning the size and location of porches and decking, provided that they are in existence at the time the new site licence is issued.

Fire at Copperfield, Chigwell

At around 3.30am on 29 May 2012, the Essex Fire & Rescue Service was called to a fire at 499 Copperfield, a Council-owned flat within a block of 8 flats. The tenant was able to escape from the property and alert all of the other residents, who were able to escape safely. However, one resident required assistance from the firefighters that attended, since the fire had spread to the common parts.

The firefighters tackled the fire, but the intensity of the fire caused the roof over 499 Copperfield to collapse. The Fire Service was, however, able to prevent the fire from spreading to the other properties.

Other than 499 Copperfield, and 491 Copperfield below (which was extensively damaged due to extinguishing water), all the other flats were undamaged, although they were affected by smoke damage.

Council housing and building control officers attended early in the morning, and spent most of the day on site, and as a result were able to make the building safe and secure enough to allow the other six residents to remain in their homes. The two damaged flats need to be virtually re-built, which will be largely funded by the Council's insurance company.

I am grateful to both the Essex Fire and Rescue Service and our own officers for dealing with this serious incident in such a professional and effective way.

Housing Repairs Charter

Following the launch of a new "Repairs Charter" by the Chartered Institute of Housing (CIH) at this year's National Housing Conference in Manchester, the Council is amongst one of the first 25 organisations in the country to demonstrate a commitment to continue improving its repairs and maintenance services and sign up to the Repairs Charter.

The Repairs Charter is a flexible framework that helps organisations to identify what outcomes a good quality repairs service can deliver. It is not regulatory, but a commitment towards outcomes - which are agreed locally with tenants. It starts with a self-assessment process to assess where we are now, and where we aspire to be.

This is a public commitment to our housing customers to continue to deliver a high quality repairs service, which is focused on outcomes for tenants.

Government Consultation Paper – "High Income Social Tenants - Pay to Stay"

The Government's Department for Communities and Local Government (CLG) has issued a Consultation Paper entitled "High Income Social Tenants - Pay to Stay"

An item has recently been placed in the Council Bulletin, along with a copy of the Consultation Paper itself. The proposals concern the Government's intention to change the law to introduce a "Pay to Stay Scheme", whereby social landlords (councils and housing associations) would be able to charge higher rents to tenants on higher incomes. The Government believes that it is right that landlords should be able to require higher income social households to pay a higher rent.

The main scope of the consultation is to invite views on:

- The income threshold, above which high income tenants might be asked to pay a higher rent – the Government is suggesting £60,000, £80,000 or £100,000;
- What the higher rent level should be;
- The arrangements for the disclosure of income by tenants; and
- Whether the policy should be voluntary or compulsory for social landlords.

The Housing Scrutiny Panel is due to consider the Council's response to the Consultation Paper, based on a recommended officer response, at its meeting on 24 July 2012. The Tenants and Leaseholders Federation will be considering the Housing Scrutiny Panel's response at its meeting on 22 August 2012, and will decide whether it wishes to submit its own response to the CLG.

The closing date for the consultation is 12 September 2012.

Report to the Council

Subject: Leisure & Wellbeing Portfolio

Date: 31 July 2012

Portfolio Holder: Councillor Liz Webster

Recommending:

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

Olympic Games

The Olympic Flame came to Waltham Abbey on the 7th without incident apart from being approximately 20 minutes late due to an earlier delay on the A414. There were approximately 20,000 people along the route which was well up on our estimate of 12,000 based on previous local events. The crowd were in good humour and there was a general sense of excitement as convoy passed through. Our stewards and the Police did an excellent job with crowd control. The streets were clean and dressed in advance of convoy and the overall impression was that the event went very well and was an excellent example of the District and Town Council working together.

Working with Broxbourne Borough Council we were able to get the Olympic commemorative shield installed on the Highbridge Street roundabout ahead of the Torch Relay and in good time for the events at the White Water Centre. I would urge Members who haven't seen the shield to take the time to do so. It is a splendid commemoration of the Games and the history of Waltham Abbey and will prove a lasting legacy of the Games for generations to come.

As this report is published, it is just a few days from the opening of the Games and the commencement of the canoe and kayak events at the White Water Centre. Despite some difficult weather leading up to the start, everything has broadly gone according to plan. Residents and business in the controlled parking areas have received their parking permits and associated information from LOCOG. The venue will be handed back to the Lee Valley Park Authority by LOCOG on the 7th of September and will re-open to the public on 8 of September.

Health & Wellbeing

The consultation exercise being undertaken by the shadow Health and Wellbeing Board ends on 31 of July. I hope that Members found the time to visit the consultation website, set out in the Members Bulletin on 13 of July. This is an important piece of work since the Board will soon need to determine its priorities for the years ahead as the responsibility and budgets for 'public health' move from central government to the County Council. The LSP Health Partnership Group was also involved in the consultation exercise undertaking a priority setting exercise at its meeting at the end of July.

Community Services

Torch Relay Community Event: A special community event was staged to celebrate the passing of the Olympic Torch through the district and this commenced as the Torch left Highbridge Street, with Epping Forest Pipe Band who led VIPs and

crowds down Sun Street to the Meridian Line where they were met by Chinese lion dancers. This 'East meets West' theme continued with a performance by Chinese dancers and the launch of a 'China in the East' exhibition at the district Museum. In the Abbey Gardens, a whole host of family activities were provided including performances by choirs, musicians and 'Make a Move' dancers and displays of Tai Chi by 50+ people.

People of all ages could also join in a range of sports, games and arts and craft activities and Lee Valley Regional Park Authority provided opportunities to try canoeing on their special canoe machine and small animal encounters with their mini- beasts display. Out of the 20,000 spectators that attended the Torch Relay it is estimated that around 5,000 people took part in the community events throughout the morning.

Epping Forest District Museum (EFDM): The China in the East Exhibition is on display at the district museum until 25 September, following which it will be on tour to Ipswich and Hertford Museums.

The very successful Sporting Heroes exhibition that was created and displayed at EFDM in 2011 has also been touring across the east region and was at Saffron Walden until 1 July and is now in Braintree.

Following the success in EFDM securing first stage approval of a Heritage Lottery Grant of £1,165,000.00, work is currently being undertaken on a development proposal which will see the refurbishment of much of the current museum display, purchase of part of the adjacent building for display storage of the museum's reserve collection and development of a volunteering and research programme for the service. This very detailed second phase proposal will be submitted in November.

Summer Holiday Programme: Community Services will be providing a spectacular variety of activities events for ages 2 – 19 years of age during the school holidays this summer, ranging from play schemes , mountain biking and dance jams to dragon puppets and DJ workshops. Children and teenagers with additional needs are welcome at many of the activities available which are spread out over the whole six weeks break.

Any members who wish to see the activities in action are welcome to visit and this can be arranged by contacting Community Services on 01992 564561

Report to the Council

Subject: Safer, Greener & Highways Portfolio

Date: 31 July 2012

Portfolio Holder: Councillor Gary Waller

Recommending:

That the report of the Safer, Greener & Highways Portfolio Holder be noted.

Community Safety Partnership and Police

On 6 June I was elected as Chairman of the Epping Forest Community Safety Partnership, and have been pleased to note how highly the EFDC team is regarded throughout Essex. Among projects currently taking place, work is under way to upgrade CCTV facilities at Debden, Loughton and Epping.

I visited Crucial Crew at Gilwell Park on 27 June to see this year's scheme in operation. Over the two weeks that it operates, Year 6 pupils from every primary age state and private school in the district learn about topics such as road and fire safety, bullying, domestic violence, alcohol and the dangers that lurk online. I was impressed by the successful way in which the various agencies responsible for delivering the scheme engaged the interest of the pupils.

The new Essex police structures are settling down, and the latest available figures show that overall crime in Epping Forest district has fallen by 4.1% compared with 12 months previously. However, some categories of crime such as burglary dwelling offences have risen, and the detection rate in the division is lower than average.

The Shadow Police and Crime Panel (PCP) has been established, with its first meeting having taken place on 10 July. The Council is represented by Cllr Mary Sartin. Cllr John Jowers, representing Essex County Council, was elected Chairman, and Cllr Malcolm Buckley from Basildon as Vice Chairman. In considering its overall political balance in the light of 15 nominations from the member constituent authorities, the Shadow Panel agreed to increase the number of representatives by one to 16, in order to ensure a Liberal Democrat presence. The Shadow PCP also confirmed that it should have two independent representatives and agreed to a recruitment process to achieve this objective. The Panel looked at its work programme for the period up to November to ensure it is up to speed by the time the Police and Crime Commissioner is elected, and discussed the areas to be covered. The intention is now to meet monthly if possible in shadow form between August and November. The PCP will have an important role in overseeing and acting as a 'critical friend' to the future Commissioner.

Highways and Parking

The new Highways Panel has now been set up, comprising the seven County members representing divisions within the district and an equivalent number of District Council members. It was unfortunate that the first meeting was proposed by Essex CC on a date when not all the District members could attend, and a new date of 14 August has now been put forward. Again, the timing is far from ideal, but I would remind members that this is a meeting which is open to all those with a particular interest in highway matters to attend.

Concern around the parking reviews continues. The recently completed Epping review has elicited

a lot of comments and demonstrates just how difficult it is, despite widespread public consultation, fully to engage residents in the review process and to formulate an outcome which meets the majority of residents' wishes and aspirations. I intend to re-assess our approach before the Council embarks on the Buckhurst Hill and Broadway reviews, to ensure that we carefully consider our engagement processes and satisfy ourselves that we do have genuine resident commitment to any proposed solutions.

Members may recall that the Council commissioned a survey of car park usage, in order to provide some feedback on the way we operate and charge for car parking. Although the online component of the survey has only just ended, we do have the preliminary results of the 'face to face' interviews with our customers. The key findings from the research are:

- ✦ Turnover within the car parks is high. Half of all respondents were parking for less than an hour, and 70% were parking for less than two hours.
- ✦ Most people use the car parks to access the local shops, with around one fifth parking while they work or commute.
- ✦ People don't tend to have a problem finding a space in their choice of car park.
- ✦ There is overall satisfaction with safety and security within the car parks, as there is with their lighting and cleanliness.
- ✦ Around three-quarters of respondents say there are enough spaces in the car parks. Space is more of an issue in three Loughton car parks: High Beech Road, Smarts Lane and The Drive.
- ✦ Most people are happy with the car parking charges, with 62% saying they are about right.
- ✦ Over half (55%) of all respondents say they are not influenced by the price of car parking and, when asked if they would park for longer if fees were reduced, only about one third would do so.
- ✦ The majority pay by cash at the ticket machines rather than using mobile payments or any other method.

I have attended two meetings of the North Essex Parking Partnership. In a relatively short period of time since its inception on 1 April 2011, the Partnership has moved from requiring subsidy to a position of surplus. In addition to civil enforcement activities, the Partnership is dealing with a large number of requests for on-street parking restrictions. At present, four separate schemes are being progressed by the Partnership within the district and, following discussion with the Highways Panel and other members, I expect to be in a position to propose further schemes in the autumn. There is also a backlog of faulty signs and faded yellow lines, and these are being rectified, although delays have been caused due to an inability to apply yellow lines on wet road surfaces.

The enforcement of on-street parking restrictions will transfer from the Council to the Partnership on 1 October 2012. Currently TUPE transfer and other operational arrangements are being finalised. I would remind members that that NEPP will also carry out enforcement in the Council car parks, although their ownership and maintenance will remain with the Council.

North Essex Parking Partnership is considering the acquisition of one or two CCTV-equipped cars, in order to increase enforcement and efficiency while saving costs, particularly with the objective of improving the safety of streets in the vicinity of schools, and also patrolling rural and emergency clearways, bus stops and taxi ranks. It would be helpful to have any views from members before September, when a decision is likely to be taken.

Community Transport

The local Community Transport scheme, established in 2001, was managed by Voluntary Action Epping Forest, with the intention that it should become independent and free-standing. It has developed successfully and is now ready to take that step. Members may recall the decision last year approving interim arrangements operating through Essex County Council. The independent scheme will come into being shortly, once the legal formalities involving Companies House have

been finalised, most likely in August.

There are seven buses at present undertaking approximately 24,000 trips a year. The service includes Dial-a-Ride, social car schemes, transport for day clubs, groups and organisations, MIDAS training, brokerage and regular bus routes such as the Dobbs Weir shopper bus. It provides access to many kinds of social and recreational activities and is much valued by community groups. I have attended two meetings of the 'shadow' trust and have every confidence that the service will thrive in its new independent configuration.

Countrycare and Conservation

I'm delighted that Countrycare has received two Living Landscape awards from the Essex Wildlife Trust. These awards are part of a national initiative to create landscapes which provide enhanced conditions for wildlife to thrive. Ten awards were made for 2011-12 in Essex, and Epping Forest Countrycare received two of them. EFDC is in fact the only council in Essex to receive an award and the only organisation of any kind to receive two. Nicola Rogers's project was for green hay strewning to enhance the floral diversity of a grassland site at Linders Field Local Nature Reserve, Buckhurst Hill, and Kevin Mason's project involved the planting and traditional management of hedgerows at Weald Common Local Nature Reserve. Congratulations are due to both of them.

In another success, the Roding Valley Meadows Nature Reserve has been adjudged to meet the standard required to receive the Green Flag Award for 2012/13. The prestigious Award is the national standard of excellence for parks and green spaces in the UK, and Countrycare worked in partnership with Essex Wildlife Trust to achieve the necessary criteria.

The Council has finalised the Heritage Review of its Conservation Areas and Listed Buildings. This document has now been adopted as part of our evidence base for the Local Plan. A presentation was given by the lead consultants DPP on 13 June. We will be looking closely at the recommendations made as part of this report in order to assess how we will be taking them forward. The recommendations include the designation of two new Conservation Areas in Theydon Bois and Buckhurst Hill, amending 13 Conservation Area boundaries and adding 93 buildings to our local list.

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Report to the Council

Committee: Cabinet **Date:** 31 July 2012
Subject: Support Services Portfolio
Portfolio Holder: Councillor Hal Ulkun

Recommending:

That the report of the Support Services Portfolio Holder be noted

1. Police and Crime Commissioner Election for Essex

1.1 The election of a Police and Crime Commissioner for Essex will take place on 15 November 2012. The election in Essex is directed by the Chief Executive for Chelmsford Borough Council in his capacity as the PARO (Police Area Returning Officer) appointed by the Government.

1.2 Planning for these elections is underway. The Government has given a commitment to support the costs incurred for this election but as yet the details of the funding regime have not been received. A sum of £148,000 has been provided by the Council in this year's budget to meet necessary expenses in connection with this election. This was an estimate of the maximum cost on a "worst case" scenario but Returning Officers will be working hard to ensure that economies are achieved wherever possible. The actual funding formula to be adopted by the Government will, when announced, influence the extent to which this Council's costs will be met.

1.3 79 polling stations will be needed for this election. The PARO has determined that verification of ballots is likely to take place after the close of polling on 15 November with the counting of candidates' votes according to the "single transferable vote" system taking place locally on 16 November. The local result will then be fed back to the PARO for the final declaration of the result in Chelmsford.

1.4 The closing date for nominations is 19 October 2011.

1.5 There is some very useful information on this election on the websites of the Electoral Commission and the Home Office which I would commend to members, particularly on the intricacies of the "single transferable vote" system.

1.6 I will keep members up to date on developments over the coming weeks.

2. Individual Elector Registration (IER)

2.1 A seminar on IER was held on 28 June 2012 at which Colin Dingwall, the Programme Director for the Electoral Registration Transformation Programme at the Cabinet Office gave a presentation on the current state of play regarding this new method of compiling the electoral register. Central to this change is the move towards

electoral registration by individuals instead of registration by households. This change is to be completed by the General Election in 2015.

2.2 All electors must register individually from 2014 and have their application verified before their names can be added to the register. Existing electors have until December 2015 to register under the new system. This is to meet a prime objective of the government to remove the vulnerability of the present system to electoral fraud, not that this has ever been an issue in this District.

2.3 This verification process involves the elector in supplying their national insurance number and their date of birth. Improved and more secure information technology is being developed to reflect the fact that this will no longer be a "signature based" process. This opens the way for online registration in the future. This kind of development is part of a broader Government agenda for electronic service delivery.

2.4 The ability to "opt out" of registration which was previously mooted has been withdrawn and civil penalties can now be applied to those who refuse to register.

2.5 The Government will be announcing its funding proposals to assist Registration Officers to meet the cost of the 3 year transition from the present household register to the new individual register. Mr Dingwall was very clear that Government funding will be to assist with the transitional phase and it will be for the Council to determine the level of resources required to maintain the IER system locally after the 3 year transition period has come to an end.

2.6 I am sure that those members who attended the seminar found Mr Dingwall's comments illuminating and the Registration Officer has told me that he will be taking up Mr Dingwall's offer for him to return to the Council to update members on the project.

2.7 Once again, there is a great deal of material on the Electoral Commission website which I commend to members, not least because I think we can all expect queries from our ward electors once the new system comes into operation.

3. Electoral Registration 2012

3.1 Members will be aware that the canvass has been brought forward this year to provide an up to date register for the Police Commissioner Elections and begin the process of transferring to IER.

3.2 The canvass began in June and the new register (which will be based on households) will be published in October 2012.

3.3 This year new ways of confirming registration where there are no changes have been introduced. These include confirmation by telephone, by internet and by SMS. The traditional method of returning a paper form has continued.

3.4 As at 3 July 2012, postal re-registrations without changes totalled 26,144 households, of which the new methods have produced the following results:

Telephone: 5053 households

Internet: 4,930 households

SMS: 1,795 households.

3.5 The total number of households is 54,536.

3.6 Hopefully, this process can be developed in future years and make the registration process less resource intensive and speedier.

3.7 Registrations where there are household changes will continue to be dealt with by the paper form, returned by post.

4. Electronic Services for Members

4.1 As part of an ongoing review of services for members, a report is to be made to the Constitution and Member Services Standing Scrutiny Panel in September 2012. This report will review our current practices of paper agenda distribution in light of advice received. The meeting will also be an opportunity for updating members on the introduction of tablet technology for agenda distribution.

5. Public Law Partnership

5.1 The Public Law Partnership, which includes our Legal Service, has been Commended in the Legal Services category of the Municipal Journal Awards at a ceremony in London last month.

5.2 This legal partnership of 27 public bodies who all share the aim of providing high quality, low cost legal support, was shortlisted as a finalist in two further categories- Shared Services, and Transformation through IT.

5.3 The Shared Services recognition was based around the savings the PLP had made in areas as diverse as joint training, provision of child care legal advice and work on the new Standards regime.

5.4 The success in the IT category was based on the shared case management system and the new website which will make sharing of resources and knowledge more easily accessible.

5.5 The new PLP website in particular will mean our legal officers will be able to access a database of the fees Counsel charge for categories of work. This will assist us in negotiating value for money.

5.6 Furthermore, a court diary which will indicate when and where each authority has court cases scheduled will allow us to reduce travel and waiting time for routine matters. It may also produce an income stream if we conduct matters for other Councils when we need to attend Court.

5.7 We have hosted low cost events for legal training on topics as diverse as Licensing, Freedom of Information and Data Protection, Election Purdah and the Community Infrastructure Levy. We continue to develop our officers by sending them to PLP courses at other authorities. We have also opened these events up to other Council officers and Members.

5.8 We will be hosting a Bribery Act course here in September and the PLP is intending to run a course on the legal aspects of affordable housing – date and venue to be confirmed.

6. New Council Website

6.1 The new website went live on Saturday 7 July. The switchover went seamlessly with minimum disruption to availability. The new website has a very modern look and avoids the historic directorate menu structure, making it easier for visitors to find the information they require with the minimum amount of mouse clicks. The new site is more interactive, embracing social media sites such as Twitter and Facebook. The site includes a link to enable visitors to provide feedback. This feedback will be closely monitored and discussed during the internal Website Development Board and user group meetings. The website is now entirely managed internally and offers greater functionality, such as automated integration into back office systems. Yearly maintenance costs have also been greatly reduced.

Report to the Council

Committee: Cabinet

Date: 31 July 2012

Portfolio Holder: Councillor Anne Grigg
(Asset Management and Economic Development)

SUPPLEMENTARY DISTRICT DEVELOPMENT FUND (DDF) ESTIMATE – ST JOHN’S ROAD, EPPING DEVELOPMENT BRIEF

Recommending:

That a supplementary DDF estimate of £115,000 be approved to cover expenditure from outside the Local Plan budget:

(a) to reinstate the sum of £105,000 to the Local Plan budget; and

(b) to provide £10,000 to cover further expenditure to produce the Development Brief for the Council;

1. The Cabinet in March 2008 agreed that the production of a Design and Development Brief for the St John’s Road, Epping area, (an approach that had been previously successfully undertaken for the Loughton Broadway), would be the most appropriate way of establishing a clear vision for the area and would be the most appropriate way of bringing forward development options. The final brief will guide future planning considerations for the site, as part of the Evidence Base for the Local Plan and as such once adopted will be a material planning consideration.

2. In order to undertake the practical work necessary to develop the Brief, recognising that the work of the Council’s Forward Planning Team was fully committed to the Gypsy and Traveller Directive and the Local Plan, it was decided to jointly appoint with Essex County Council (ECC), specialist external consultancy support. It was estimated at this point that the level of expenditure that would be required would be £50,000, with the County Council agreeing to contribute up to a maximum of £25,000. As a result of a competitive exercise, appropriate consultants were appointed by Portfolio Holder decision, on 11 September 2008.

3. Whilst it was clear that the project needed to be adequately funded, at a time of restrictions upon public expenditure, it was decided that existing budget provision already allocated to the development of the Local Plan should be used rather than a supplementary budget request. Whilst this approach was sensible at the time, the new National Development Framework has subsequently been implemented by Central Government. There is a separate report on the Local Plan budget on this agenda to discuss in detail the budgetary implications of the accelerated timetable for the preparation of the Local Plan now required.

4. Expenditure has been incurred over a number of financial years on the production of the St John’s Road Design and Development Brief, and the total expenditure/commitments have reached £130,000. In order to assist Members, a table detailing the expenditure incurred which we have considered is outlined below:

Date	Description of works	Value	By whom
June 2008	Original budget.	£50,000	Initial works by Urban Practitioners, C B Richard Ellis (CBRE) and Buchanans.
September 2009	Additional expenditure to develop options.	£6,700	Allies Morrison (AM) and CBRE.
July 2010	Additional expenditure on Epping as part of work on Town Centres study.	£3,000	Roger Tym.
November 2010	Additional expenditure on viability of options and highway work.	£14,300	AM, CBRE and Buchanans.
June 2011	Additional expenditure on traffic.	£33,000	Intermodal. Traffic counts. Traffic Model. Safety Audit.
November 2011	Additional expenditure on highways, valuation and preparing and undertaking consultation and the analysis of the consultation.	£20,000	CBRE & AM.
As at May 2012	Outstanding commitments	£3,000	
	TOTAL	£130,000	

5. We have been advised that expenditure has risen above the £50,000 estimated for a number of reasons:

- Four options were developed, and the possible scale of the retail components meant that it was prudent to consider this in the report which was prepared by Roger Tym as part of the Local Plan evidence base.
- A possible leisure option involved some additional consideration of the requirements which could be included with such an option, to include the cost of purchasing land at this site and what might be undertaken on the existing site so as to offset those costs of any new relocated provision.
- All of the possible options raised some quite complex changes to traffic impacts, which needed to be thoroughly considered. In addition, original traffic studies were not considered to be sufficiently up to date, nor had they been undertaken when the schools were in use, so they needed to be repeated. A safety audit was also required.
- Finally, the extent and depth of the consultation, and the resources allocated to ensure that all residents had the opportunity to contribute was greater than had originally been envisaged.

6. The time taken over the project has been a concern for ECC, because it had assumed a capital receipt would have been generated earlier to offset the costs of the new primary school which was relocated nearby. Similarly, securing the empty buildings at the site has also caused ECC additional expenditure, and it has taken a position that it is not prepared to fund any additional work necessary on the Design and Development Brief.

7. In order to complete the Design and Development Brief, there is likely to be some further expenditure incurred, primarily because the consultation period was extended and there have been a greater number and detail of responses to analyse. We estimate that a further £10,000 should complete the work to a point where the Council can be asked to agree a brief. However, if any more work is required on land assembly, working up further details of specific proposals or on managing traffic flows in the High Street differently, then that will require further funding. In that case we have decided that this will be quantified and subject to a further report.

9. To date, the funding has been taken from the Local Plan budget, which is now under pressure. Therefore, a supplementary estimate is being sought to cover the expenditure incurred since December 2008, and to cover the reasonable further expenditure envisaged to complete the project.

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

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Report to the Council

Committee: Cabinet

Date: 31 July 2012

Portfolio Holder: Councillor Richard Bassett
(Planning)

SUPPLEMENTARY DISTRICT DEVELOPMENT FUND (DDF) ESTIMATE – LOCAL PLAN PROJECT

Recommending:

That a supplementary DDF estimate of £160,000 be approved to ensure that there are sufficient resources available to deliver the Local Plan on time.

1. We have considered the resources necessary to deliver the Local Plan which is the Council's number one priority for the foreseeable future.
2. The then Cabinet at its meeting on 17 December 2007 agreed the estimated costs of delivering the Local Plan Framework over a period of four years and six monthly progress reports were submitted following that meeting to the Local Development Framework Cabinet Committee. The last of these reports was considered in December 2011.
3. The original estimate was £1.4M over the four year period. In the first two years there was limited expenditure because work was diverted to meet the requirements of a Direction by the Government to tackle Gypsy, Roma and Traveller issues and some £0.25M of the £1.4M provision was used for this project. More recently part of the provision has been used to fund a Design and Development Brief for Loughton Broadway (£65,000) although this was subsequently re-credited to the Local Plan budget and to fund a similar Brief for the St John's Road, Epping scheme (£85,000 which has not yet been re-credited).
4. Although the recent switch from a Local Development Framework to a new style Local Plan has reduced some of the tasks which would have been necessary there is also a need for some additional tasks, eg, the adoption of a Community Infrastructure Levy (CIL) which will require substantial research work.
- 5.....In the past few months the Local Plan work has been accelerated with consultants appointed to assist on project management and extra staff employed on secondment and fixed-term contracts.
6. The original DDF underspends have been carried forward in the budget but there is a requirement that this can only take place for a maximum of two years unless a renewed authority is obtained.
- 7....The updated project plan for the project has a key milestone of the end of August 2013 at which time the Local Plan should be developed to a point where it can be submitted for public examination.

8. Other significant costs will arise in relation to project management, updating evidence to meet the requirements of the National Planning Policy Framework, ensuring that a complementary CIL is brought in with the new Local Plan, and updating the Sustainability Assessment.

9. The attached Appendix sets out what the expenditure has been since 2007, what is committed and what is predicted for the next three financial years. It also indicates the sources of funding. It is clear that to complete the Plan on time some additional funding is required. Existing Continuing Services budgets will continue to be applied but we estimate that a further £160,000 needs to be allocated.

10. Accordingly, we recommend as set out at the commencement of this report.

Appendix 1 – LDF Budget Summary & Identified Expenditure
REVISED VERSION

Local Plan Budget Summary 2007-2015

	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	Total
Original DDF approved Dec 2007	70,000	358,000	217,000	615,000	153,000				1,413,000
Less capital project	-30,000								-30,000
Less PDG5 contribution	-70,000								-70,000
Supplementary est - Development Briefs Broadway (£65k)& Epping (£25k) (6 Oct 2008)		91,000							91,000
Supplementary est - G&T Consultant (Cabinet 9 June 2008)		19,200							19,200
Total allocated									1,423,200
Spend	-26,000	-220,000	-205,000	-101,000	-72,000				-624,000
99 Budget carried forward (April 2012)						453,000	282,000	64,000	799,000
77 Estimated further commitments-Local Plan (April 2012)						610,000	282,000	152,000	1,044,000
Estimated existing & further commitments-St John's Development Brief (April 2012)						20,000			
Total estimated further commitments						630,000	282,000	152,000	1,064,000
Requested re-credit - St John's Development Brief *						105,000			
Requested re-credit - Programme Management costs						72,000			
Shortfall within original DDF (April 2012)						0	0	88,000	88,000
TOTAL FURTHER FUNDS REQUIRED						177,000	0	88,000	265,000

* Assuming that the recommendations in the report concerning St John's Development Brief also on this agenda are agreed, the amount shown above reflects this amount, and it is not requesting the same amount to be re-credited to the Local Plan budget twice. Thus, the net additional requirement to the Local Plan DDF is £160,000.

Local Plan Budget Summary – Identified estimated expenditure 2012/13 – 2014/15

	2012/13	2013/14	2014/15
Evidence Base Studies	306,207.50	15,000.00	0.00
St John's Development Brief (orders committed)	17,265.45	0.00	0.00
Staffing	45,647.70	64,803.25	24,008.95
Statement of Community Involvement	3,800.00	0.00	0.00
Local Plan - Project Management	48,000.00	24,000.00	0.00
Local Plan - Issues & Options consultation	67,100.00	0.00	0.00
Local Plan - Preferred Strategy consultation	62,100.00	0.00	0.00
Local Plan - Pre-Submission consultation	0.00	62,100.00	0.00
Local Plan - Examination in Public	0.00	44,000.00	84,000.00
Local Plan - Adoption	0.00	0.00	23,500.00
Community Infrastructure Levy - Evidence	40,000.00	0.00	0.00
Community Infrastructure Levy - Project Management	0.00	24,000.00	0.00
Community Infrastructure Levy - Consultation	5,000.00	5,000.00	0.00
Community Infrastructure Levy - Examination	0.00	0.00	20,000.00
Counsel advice - Local Plan & CIL	14,000.00	43,000.00	0.00
	609,120.65	281,903.25	151,508.95

Report to the Council

Committee: Cabinet

Date: 31 July 2012

Portfolio Holder: Councillor Will Breare-Hall
(Environment)

SUPPLEMENTARY CAPITAL ESTIMATE – REPLACEMENT OF FIVE MOWING MACHINES

Recommending:

That a supplementary capital estimate of £123,750 for 2012/13 be approved in order to enable the Directorate of Environment and Street Scene's Grounds Maintenance Section to purchase five Ransomes' Highway3 ride-on mowers

1. In 2008, the Council's Grounds Maintenance Section entered into a lease agreement for the purchase of five ride-on mowers in order to meet the requirements of the Council's grounds maintenance contracts. The lease came to an end in April 2012 but has been extended whilst arrangements for future funding of replacement mowers is considered.
2. As part of the procurement process, a number of different manufacturers' equipment was tested and assessed and Ransomes' machines were selected on the basis of previous reliability and operational features.
3. The specification was subjected to a tender process via the Essex Procurement Hub and the lowest tender submitted was in the sum of £123,750.
4. The cost has been subjected to a capital/lease comparison which has shown that capital funding would be more cost effective than leasing. On the two previous occasions when mowers were renewed the operating lease option was the most cost effective solution and as result no capital provision was made in the 2012/13 Capital Programme.
5. If the required capital provision is approved, a sum of £23,000 per annum currently in the Continuing Services Budget (CSB) for funding lease costs will not be required and can be identified as a saving.
6. There is separate provision in the 2012/13 CSB for the necessary servicing and maintenance of the machines.
7. Although the present lease could be extended, repairs to the existing machines are becoming more frequent and this is not considered a viable option.
8. Accordingly, we recommend at set out at the commencement of this report.

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ANNUAL REPORT OF THE EXECUTIVE

2011/12

1. Introduction

1.1 This report is submitted under Executive Procedure Rule 4(a) and (b) of the Constitution (Page H6). It provides a résumé of major policy issues determined and a summary of issues discussed by Cabinet across the various Council Portfolios during the Council year 2011/12, the tenth year of the full operation of the new Executive Constitution under the Local Government Act 2000.

1.2 Further information on all issues, including copies of the reports and minutes concerned, is available on the Local Democracy Section of the District Council's website.

2. KEY PRIORITY OBJECTIVES

2.1 The Council set the following Key Priority Objectives. The major policy issues determined by the Executive during the year reflect those priority objectives:

- To review the Council's commercial landholdings to coordinate competing land use proposals, fulfil operational requirements, achieve value for money, and produce additional capital and revenue income to the Council;
- To utilise existing resources to support the Government's vision for the 'Big Society' where individuals and communities have power and responsibility to create better neighbourhoods and local services;
- To work in partnership with Essex County Council and other statutory and voluntary agencies, to ensure the effectiveness of local arrangements and services to safeguard the welfare of children and young people;
- To seek continuous performance improvement and best use of resources against the background of diminishing public expenditure;
- To achieve the levels of net savings necessary to maintain the Council's sound financial position;
- To maximise the provision of affordable housing within the District;
- To mitigate the impact of the current economic conditions on local people and businesses, where resources permit and value for money can be achieved, from the Council's activities;
- To develop a sound Core Planning Strategy, to guide development in the District up to 2031, as part of the Local Development Framework.

3. PORTFOLIO CHANGES

3.1 The number of Portfolios covered by Cabinet Members was reduced from 9 to 8 and there were a number of changes to the range of responsibilities covered by the Portfolios. Details of the Portfolios and Portfolio Holders are set out below:

Leader's and Legal Portfolio – Councillor Mrs Lesley Wagland
Finance and Economic Development – Councillor Gagan Mohindra
Leisure and Wellbeing – Councillor Mrs Ricki Gadsby
Planning and Technology – Councillor John Phillip
Environment – Councillor John Knapman
Housing – Councillor Mrs Maggie McEwen

Safer and Greener – Councillor Penny Smith
Support Services – Councillor John Wyatt

4. LEADER'S AND LEGAL PORTFOLIO

4.1 Development Works on land owned by Epping Forest College

4.1.1 In September 2010 the Council approved the release of a right of pre-emption, and a covenant restricting the use of the land owned by Epping Forest College, in return for which the College had undertaken to provide replacement sports facilities when their main funding situation allowed. Subsequently, in the summer of 2011, the College requested the Council's formal consent in accordance with the restrictive covenant in a Conveyance dated 1 May 1952 to a scheme of works to be carried out on the sports hall. It was intended to implement the planning permission obtained for the demolition of the sports hall and its replacement with a 85-bed care home development incorporating car parking and secure landscaped garden areas. Permission for the approved development under the terms of the covenant (not the release of the covenant itself) was granted.

4.2 Police and Crime Commissioner Elections

4.2.1. Budgetary provision of £148,000 was made in the 2012/13 financial year to provide resources to administer elections in the District for a Police and Crime Commissioner for Essex under new Government legislation. It was expected that the Government would refund the cost of this election. The date for this election was 15 November 2012, which meant that additional provision was required in the 2012/13 budget separate from that for the District and Parish Council elections in May. Administration of the election was a statutory responsibility for the Council's Returning Officer as part of an Essex-wide arrangement.

4.3 Key Objectives 2012/13

4.3.1 The annual identification of Key Objectives provides an opportunity for the Council to focus specific attention on how areas for improvement can be addressed, opportunities exploited and better outcomes delivered over the coming year. The Key Objectives are intended to provide a clear statement of the Council's overall intentions for each year, containing specific actions and desired outcomes. They also focus on national priorities set by the Government and local challenges arising from the social, economic and environmental context of the District, and represented the Council's high-level initiatives and over-arching goals for each year.

4.3.2 Approval was given to the Key Priority Objectives as set out in Part 2 of this report.

4.4 Rye Meads Water Cycle Strategy

4.4.1 The Rye Meads Wastewater Treatment Works serves the whole of Harlow and part of the District adjoining Harlow's boundary. It serves a further five local authority areas, either entirely or partly in: Broxbourne, East Herts, North Herts, Stevenage and Welwyn Hatfield. The capacity of Rye Meads works had been recognised as an issue in the East of England Plan, because 70,000 new houses were originally proposed in the catchment area during the period up to 2012; The proposed urban extensions adjoining Harlow in this District would be served by the Rye Meads works.

4.4.2 The 2009 Water Cycle Strategy assessed these constraints and recommended suitable infrastructure provision, with the main implications for this District being a new sewer from Harlow to Roydon, south of the railway line, and a possible new sewer to the west of Harlow immediately east of Roydon. In addition, the Strategy also considered the wider water resources such as water supply, flood risk and mitigation, water quality and conservation opportunities.

4.4.3. Three Valleys Water and Thames Water were confident that the current measures being implemented would mean that water supply would not be a constraint to growth. The Rye Meads works would require upgrades to ensure future capacity could meet the proposed growth, but this would only affect any development adjacent to Harlow. However, there was uncertainty about capacity in the period beyond 2012, and this could be a significant constraint on further development. It was important that new development and water infrastructure upgrades were properly coordinated, and a full review of the current Water Cycle Strategy by 2013 was recommended.

4.4.4 The required infrastructure needed to be in place for any new developments, and whilst concerns had been expressed about the disruption that would be caused, the County Council would have a much greater role in scrutinising the activities of the water companies. Furthermore, the water companies had committed to meeting certain standards in respect of the treatment of waste water, and officers would ensure that these standards were met.

4.4.5. The Strategy had concentrated on the need from new housing rather than new employment opportunities as this generated greater demand for water. By adding the strategy to the Evidence Base, recognition would be given to the need for the additional sewage infrastructure required for any new development. It was agreed that the Water Cycle Strategy should be included as part of the Evidence Base for the new Local Plan with any proposed further updates considered in detail as and when they occurred.

4.5 Annual Monitoring Report 2010/11

4.5.1 The Government requires a monitoring report to be submitted at least once a year, setting out information on activity within the previous financial year, including housing completions, employment land provision, and the protection of areas of natural conservation value. The report was also used to measure progress with the Local Plan. The Annual Monitoring Report for the 2010/11 financial year indicated that performance against housing targets, which had historically been the Government's highest priority was good, with 368 new housing units constructed.

4.5.2. The Annual Monitoring Report will be used as a mechanism for further review of the Local Plan in the future and to test the Council's policies. It also includes other details, for example on deprivation. Further information on decent home figures; the Indices of Deprivation link; and the reduction in permanent planning permissions granted for private caravans would be made available in due course. The Report was agreed for submission to the Secretary of State and publication on the Council's website.

5. ENVIRONMENT PORTFOLIO

5.1 Door Step Textile Collections

5.1.1 A previous door step textile collection service ceased because of operational difficulties. Until recently it has not been possible to reintroduce a door step service textile collection service for a variety of reasons, including the provision of sorting facilities, storage and agreement on costs of collections. A pilot scheme for a new door step collection was launched in April 2011 and this proved to be very successful with residents generating 2.9 tonnes of recyclable textiles. The sale of textiles collected had generated an income of £886 in the first five months of operation. Accordingly, approval was given to the continuation of the scheme, with the income derived from the scheme in 2011/12 donated to the Chairman of Council's Charities for the Year.

5.2 Review of Recycling Bring Bank Schemes

5.2.1 The Council had a total of 23 recycling 'bring' schemes (also called bring banks) across the District. These schemes had been introduced over a number of years when only a limited kerbside recycling collection service was offered to residents. However, the Council now provides a comprehensive kerbside recycling collection service, with all the materials accepted at the recycling bring schemes now collected directly from residents' properties. Residents are also able to dispose of all normal recyclables and heavy or bulky objects such as metal or large electrical items via the Council's chargeable bulky waste collection service or at County Council Household Waste Recycling Centres. Many retailers also recycle old electrical equipment when new goods are purchased.

5.2.2 Consequently, the usage of some of the bring schemes has been in decline. The need to upgrade and modernise the recycling bring schemes offered an opportunity to review the viability of these sites. Given the success of the kerbside recycling scheme and the costs of bank maintenance, collection and processing, it was agreed that all bring schemes relating to the collection of cans, aerosols, and plastics be discontinued. It was also decided that tenders be sought for the provision of bring schemes for the collection of paper, textile, glass and tetra packs (cartons), with only those sites which generated a surplus being retained and with the responsibility for the acquisition and maintenance of bring banks resting with the bring bank provider.

5.2.3 Not all residents of flats in the District have access to a doorstep collection service of recyclables. Consequently each of the sites used within the District will be assessed as part of the tender exercise, with figures produced for each bank and discussions with ward members before a final decision is taken.

5.3 Transfer of Private Sector Sewers to the Water and Sewerage Companies.

5.3.1 Regulations affecting the transfer of most private sewers and lateral drains to the water and sewage companies came into force on 1 July 2011. One of the implications of this was that most private sewers and lateral drains that drain into a public sewer became vested in the appropriate water and sewage company.

5.3.2 It is not certain how much private sector drainage work will remain and what the demand for drainage assistance from residents will be, following the transfer. Given the

nature of the District and its associated drainage problems it was considered prudent to retain one of the two Officers currently working on private sector drainage for at least another year and then review the situation.

5.4 Extension of Waste Management Contract

5.4.1. Approval was given to the Waste Management Contract with Sita UK being extended for a further two years with effect from November 2012 for all the currently contracted waste services. Sita had offered up considerable savings in recognition of the contract extension which, given that 2012/13 was likely to be the most difficult year in terms of the level of budget savings required, would greatly assist the Council.

5.4.2. A more detailed review of the contract specification will be carried out to ensure that when the re-tendering for the contract commences in November 2014, the Council should achieve the best possible value.

5.5 Purchase of Vehicle for Waste and Recycling Service

5.5 1 A total of £1 million was allocated within the capital programme for 2012/13 for the purchase of seven refuse freighters. Refuse freighters have a nominal operational life of up to seven years. Beyond this time span, the costs of maintenance and the effects of operational downtime become significant, generating additional costs and service disruption.

6. FINANCE AND ECONOMIC DEVELOPMENT PORTFOLIO

6.1 Treasury Management Strategy Statement and Investment Strategy 2011/12 – 2013/14.

6.1.1. Approval was given to an amended 2011/12 Treasury Management Strategy Statement and Annual Investment Strategy 2011/12 to 2013/14. This was necessary to ensure that the Council had the powers to borrow the money to finance the debt to be paid to the Department for Communities and Local Government.

6.1.2 As required, the Council had approved the Treasury Management Strategy, Prudential Indicators and a statement on the Minimum Revenue provision before the start of the 2011/12 financial year. However, following the Government announcement to proceed with the self financing of Council Housing Services through the Localism Act, it became essential that the Council was in a position to borrow up to this amount.

6.1.3 The Council had been debt-free, with £38 million of capital funds available. The proposals from the Government would result in a cost to the General Fund of £1.5 million for Minimum Revenue Provision payments and a further £1.6 million in interest payments. The Council had been in discussions with the Department for Communities and Local Government, who had subsequently issued a policy document providing some mitigation for the Council on both issues.

6.2 Capital Programme Review

6.2.1. The revised Capital Programme approved by Council will form the basis of the Capital Strategy and the Asset Management Plan. It had been prepared by updating the programme approved in February 2011 and adding new schemes and allocations. Each scheme had reassessed estimated final costs and the phasing of expenditure profiles for each scheme as part of the capital review.

6.2.2. The programme covers the five financial years to 2015/16. In total there was an estimated capital spend of £46,380,000 by the Council over the five year period.

6.2.3 In terms of the funding available to finance these schemes, estimated external funding from grants and private sources of £2,868,000 had been identified. It was agreed that capital receipts of an estimated £11,545,000 and revenue contributions of £31,967,000 should be applied to finance the capital programme over the next five years. In summary, the balance of capital receipts was expected to fall from £18,694,000 as at 1 April 2011 to £8,300,000 by 31 March 2016, with the Major Repairs Reserve balance expected to increase from £6,540,000 to £14,719,000 by the end of the period.

6.2.4 The £22,000 allocated for the Town Centre Enhancement Scheme at Loughton Broadway was held back until the County Council formally adopted the scheme. When the scheme was adopted, the money would be released for the Council to determine where else it should be spent which would include further CCTV provision within the Broadway area.

6.3 Capital Strategy

6.3.1. The Capital Strategy is a key 'high level' strategic document linked to all other key corporate and strategic documents produced by the Council and its partners, including the Corporate Plan, the Sustainable Community Strategy, and the Asset Management Plan. It is focused on the current capital schemes and investment plans to 2015/16. Although there is no requirement for the Council to submit the Capital Strategy to the Government for re-assessment, it was deemed important to review it annually and thereby maintain a high level of control over the Council's capital resources and fixed assets.

6.3.2 Each year the Council's strategic aims and priorities are used to reassess the key Capital priorities and the ranking of each key priority is considered as part of the capital Strategy. The order of importance subsequently influences future decisions regarding individual capital projects. The Capital Strategy also identifies partnership arrangements with other partner organisations and is aimed at enhancing the capital programme, setting out the funding approved to date, having regard to forecast income generation.

6.3.3. The Council was mindful of the need to safeguard front-line services as well as keeping the District Council Tax low. Some of the capital projects provide revenue to the Council helping to keep the District Council tax at a low level.

6.3.4. The Key Capital priorities for 2012-2016 are listed in order below, showing the previous year's ranking in brackets under the first column.

Priority	Key Capital Priority	Relevant Corporate Plan Aims
1 (1)	Meeting housing need	Community leadership and protection of the special character of the district.
2 (2)	Improving the Council's housing stock	Community leadership and protection of the special character of the district.
3 (3)	Improving quality of life	Safeguard frontline services; Innovative and transparent council; Improve efficiency; Community leadership and protection of the special character of the district.
4 (4)	Protecting the environment	Community leadership and protection of the special character of the district.
5 (5)	Promoting economic development	Have the lowest District Council Tax; Innovative and transparent council; Improvement efficiency;
6 (6)	Regenerating areas in need	Have the lowest District Council Tax; Innovative and transparent council; Improve efficiency
7 (new)	Developing Council Assets	Maximising revenue from our assets Have the lowest District Council Tax Innovative and transparent council.
8 (7)	Delivering quality public services through e-government	Innovative and transparent council;
9 (8)	Improving private sector housing stock	Community leadership and protection of the special character of the district.

6.4 Council Budget

6.4.1. General Fund budgets containing the following elements were approved:

- Revised estimates for 2011/12 with an estimated increase in the General Fund balance by £63,000;
- A reduction in the target for the 2012/13 Continuing Services Budget from £14.88 million to £14.81 million (including growth items);
- An increase in the target for the 2012/13 District Development Fund net spend from £763,000 to £851,000;
- No change in the District Council Tax for a Band 'D' property to retain the charge at £148.77;
- The estimated increase in General Fund balances in 2012/13 of £19,000;
- The four year capital programme 2012/13 – 2015/16;
- The Medium Term Financial Strategy 2012/13- 2015/16; and
- The Council's policy on General Fund Revenue Balances to remain that they be allowed to fall no lower than 25% of the Net Budget Requirement;

6.4.2. Included in the revised estimates was the 2011/12 Housing Revenue Account. A number of rent increases and decreases were agreed, resulting in an overall increase of 6%.

6.5 Planned Preventative Maintenance Programme 2012-17

6.5.1. Approval was given to a Five Year Planned Maintenance Programme for the Civic Offices and other Operational Buildings and Commercial Property covering the period 2012/13 to 2016/17. The proposed programme aimed to maintain all properties to a condition of 'satisfactory' as a minimum.

6.5.2. The programme envisaged a proactive approach to facilities management for all operational buildings and commercial property which would ensure that;

- The buildings and their infrastructure would be maintained to an appropriate level, meeting health and safety, statutory regulations and contractual obligations;
- The buildings and their infrastructure would be maintained to a standard to comply with EU statutory regulations;
- The risk of unreliability and failure of critical systems, services and building fabric was reduced;
- Good financial management through forecasting was maintained; and
- Performance standards/indicators were maintained or improved upon.

6.6 Government Consultation – Technical Reforms of Council Tax

6.6.1. The Government published its 'Technical Reforms of Council Tax' consultation paper on 31 October 2011. The review proposed changes to the discounts available for second and empty homes, changing the default number of payment and a number of other technical changes. When the consultation was issued, the Secretary of State had suggested that the changes could allow a £20 reduction in council tax for a band D property. Whilst this might be the case for a District with a very large number of second and empty properties, it was unlikely to provide a significant benefit to this Council. There was concern that the impact on cash flow and collection rates in moving from 10 to 12 payments per annum would cost more than any additional income generated from the changes to discounts.

6.6.2. The Council broadly welcomed the principles of the changes in that they would give greater discretion to billing authorities. However, in noting that the intention was to bring the changes into effect for the commencement of the 2013/14 financial year, the Council submitted a number of comments to the Government on the proposals, including the concerns referred to in 6.6.1. above.

6.7 Council Property Asset Strategy Options

6.7.1 Funds in the sum of £205,000 were set aside for inclusion in the 2012/13 budget to engage consultants to carry out design, valuation and costing of potential development for a number of different sites. The information obtained would then, in turn, allow for strategic decisions to be made regarding the future use, sale and development of each site, including the submission of any planning applications as necessary. By obtaining this data the Council would be able to better assess the risks associated with the proposals for each site.

6.7.2 The provision related to eight different sites within the District, including consideration of the provision of public toilet facilities. The estimated Gross Development

Values of these sites ranged from £750,000 to £38 million. The monies would be funded from the District Development Fund.

6.8 Self Financing for the Housing Revenue Account

6.8.1. As a first step towards the Housing Revenue Account becoming self-financed, approval was given to the Council being able to borrow up to £200 million through its revised Treasury Management Strategy. At the same time the 'in principle' decision to commence a new affordable house-building programme, once the Housing Revenue Account had moved to a self-financing basis, was re-confirmed, subject to financial appraisals proving the viability of such a programme. This approach gave the greater range of options for borrowing and obtaining the borrowing at the cheaper rate.

7. LEISURE AND WELLBEING

7.1 Lowewood Museum

7.1.1. Consequent upon an approach made by Broxbourne Borough Council, a five year agreement for the management of Lowewood Museum, in Hoddesdon, by the District Council was entered into. The shared service arrangement with Broxbourne Borough Council will enable the District Council to realise revenue savings of around £10,000 per annum for the period of the agreement, and further benefits will be realised through the increased opportunities to access external funding for projects across the two local authority areas.

7.1.2 The partnership will also provide a range of staff development opportunities and a joint service will be able to draw on the combined collections of both museums to provide services and present a more attractive opportunity for marketing.

7.2 High Level Operations Plan for White Water Centre – Olympic Games 2012

7.2.1 Whilst the Olympic venue for the white water canoe and kayak events is situated at the Lee Valley White Water Centre located within the boundaries covered by Broxbourne Borough Council, the area is adjacent to this District's border in Waltham Abbey. Furthermore, the transport and taxi hubs are both located wholly within this District.

7.2.2 Host authorities are required to draw up a high level operations plan to cover a range of operational and local issues to ensure that the events at the location are successful and contribute fully to the overall success of the Games. Broxbourne Borough Council had also produced a high level plan, which was merged with this Council's version to form the overarching operations plan for the venue. A key component of the delivery of the combined Operations Plan was the joint working between the two local authorities, especially on matters pertaining to street scene.

7.3 Olympic Games – 'Look and Feel' and Ticket Allocation

7.3.1 A key element of the Olympic celebration will be the decoration of the venues and the surrounding area, referred to as 'Look and Feel' which includes items such as lamp column banners, flags, bunting and banner covers. Approval was given to expenditure of £35,000 for 'Look and Feel' schemes in the Epping Forest District, with local Town and

Parish Councils given the opportunity to request 'Look and Feel' pound for pound match funding to assist their local communities in celebrating the Games.

7.3.2 The District Council had been approached by the Olympic Executive Committee in November 2010 to bid for tickets for the Opening and Closing ceremonies of both the Olympic and Paralympics Games, as well as a number of the Canoe Slalom events at the Lea Valley White Water Centre. Approval was given to expenditure of £3,000 to purchase the tickets awarded and the Council agreed to allocate the tickets to deserving residents within the District, including the Citizen of the Year plus runners-up, Young Citizen of the Year plus runners-up, St Clare Hospice, Chigwell Riding Trust, Oakview School in Loughton, and King Harold School in Waltham Abbey, with the rest allocated to individuals for their role in the community, nominated by the public, and determined by a Panel consisting of the Chairman of Council, the Leisure and Wellbeing Portfolio Holder and the Council's Olympic Champion.

7.4 Olympic Torch Relay – Additional Funding

7.4.1 The Olympic Torch would be passing through the District on 7 July 2012 on its way from Harlow Town Centre to the White Water Centre in Broxbourne. Whilst every effort had been made to keep all expenditure associated with this procession within existing budgets, the safety of the Torch and those who would attend to watch it pass by was paramount. Approval was therefore given to additional funding of £15,000, to be used predominately to hire barriers for the sensitive parts of the Torch route and to enable payments to those who would be marshalling crowds and providing associated support services.

7.4.2 The responsibility for the safe passage of the Torch along the route rested with the host authorities, of which the Council was one. Whilst the key security of the Torch itself would be the responsibility of the Metropolitan Police, all other aspects of the Torch procession lay with the Council whilst it was within the District. It was essential that those who came to see the Torch, remained safe and that would require a significant degree of activity on the Torch route, including the provision of barriers. Without supplementary funding, it would not be possible to provide some of these elements.

7.5 Equalities Act 2010 – Equality Scheme and Objectives 2012-15

7.5.1 The Council is now under a statutory duty to publish appropriate equality objectives and agreed a scheme incorporating these objectives in April 2012. Further schemes will be published in the future, with a maximum of four years between schemes.

7.5.2 The setting of specific equality objectives helps public authorities to better perform their general equality duty, focusing on the outcomes to be achieved. Equality objectives also helped to focus attention on the priority equality issues within an organisation, to deliver improvement in policy making, procurement of services, service delivery and employment, including resource allocation.

8. PLANNING AND TECHNOLOGY PORTFOLIO

8.1 ICT Disaster Recovery/Policy

8.1.1 Revisions to the ICT Disaster Recovery Policy were agreed to reduce the previous estimated recovery time for key systems following a major incident. The former plan consisted of two separate computer suites located at different ends of the Civic Office complex. Although this offered a substantial form of resilience, having both suites on the same site was not ideal. Accordingly, Parsonage Court (Careline) was confirmed as the off-site location for an ICT disaster recovery suite.

8.1.2 Careline was a control centre which offered 24 hour emergency access to trained professionals to provide assistance to the elderly and vulnerable people within the Epping Forest area. Following the completion of the virtualisation project, the number of servers required to run essential systems had been drastically reduced, as had the space required to store them. A fully air conditioned room was no longer needed, as the smaller number of servers could be cooled using a rack with integral cooling. This reduced the storage footprint and was substantially cheaper to run. The opportunity to use the off-site facility provided for an even more co-ordinated approach to Disaster Recovery. All staff required access to computerised systems for their daily work and it was essential that the ICT Disaster Recovery Plan became more intrinsically linked with the Corporate Disaster Recovery Plan.

8.2 ICT Capital Requirements 2012/13

8.2.1 A number of projects necessary to maintain the current ICT infrastructure, improve business continuity and allow staff to fully utilise the benefits available from ICT systems, were agreed. The project costs, estimated at £170,000 covered the following:

- Replacement of the Private Automated Branch Exchange
- Introduction of a Global System for Mobile Communications Gateway and Integration of SMS texts into Outlook
- Further Disaster Recovery work
- Implementation of e-mail archiving
- Introduction of Document Management for Council Tax.

8.3 Planning and Economic Development – Electronic Records

8.3.1 Planning and Economic Development had made significant progress in moving away from paper based office systems to Electronic Record and Document Management Systems. The use of electronic record keeping had produced a range of benefits such as savings on the cost of paper and file storage, helping residents access information online and with the production of the Local Plan.

8.3.2 However, there was a considerable amount of work still to be carried out to build on these gains to move the Directorate into better and faster ways of working. There remained a need to make more information available electronically as well as enabling the electronic submission of Building Control Plans, thereby increasing the ability to compete for additional work and increase income. Accordingly, approval was given to the use of a previous under spend of £25,000 for use in the development of document and microfiche scanning.

8.4 Local Plan – Revised Project Plan

8.4.1 Continued budgetary provision was made available for the preparation of the Local Plan and the estimated additional expenditure required for further studies in respect of the Evidence Base. In addition, a revised project plan for the Local Plan was approved. The following significant risks to achieving the Plan, and for which appropriate preparatory action would be taken, had been identified:

- A change in the Regulations guiding the preparation of the Local Plan.
- An overwhelming public response to the planned consultation periods; and
- The need to meet the new 'Duty to Cooperate' included in the Localism Act 2011.

9. HOUSING PORTFOLIO

9.1 Housing Strategy Key Action Plan 2011/12

9.1.1 The Housing Strategy assesses the District's current and future housing needs, and sets out the Council's approach to meeting those needs. It also includes a Key Action Plan detailing the proposed actions to be taken by the Council to contribute to the achievement of the Housing objectives over the life of the Strategy. Key Action Plans are produced annually for approval by the Council and progress is monitored by the Housing Scrutiny Panel every six months. The Housing Strategy Key Action Plan for 2011/12 was adopted.

9.1.2 The outcome of the Council's pilot Social Housing Fraud Scheme, and whether the scheme should continue on a permanent basis, will be reviewed at the end of the pilot. It was proposed to investigate the Government's Feed-In Tariff Scheme which could have involved the installation of solar panels on the roofs of some Council properties. However, it was agreed not to pursue this initiative, when the Government announced that it would be significantly reducing the financial benefits.

9. 2. Review of Private Sector Housing Team

9.2.1. The Government recently introduced the New Homes Bonus. The scheme is a means of rewarding local authorities for increasing housing supply. The net gain in housing supply includes empty homes brought back into use through Council intervention. It was estimated that the Council will receive a reward of around £210,000 over 6 years, as a consequence of the number of empty properties brought back into use between October 2010 and October 2011. Further reward would be received for each year thereafter.

9.2.2. A significant proportion of the empty properties brought back into use since 2010 could be directly attributed to the appointment of a Technical Officer in the Private Sector Housing Team. To maximise the New Homes Bonus received on a continuing basis, it was agreed that the post be increased from 28 to 36 hours a week and that the current three year contract be made permanent. This would cost approximately £36,500 per annum for the remainder of the existing three year contract (until July 2013), to be met from savings on the Housing Directorate's salaries budget, with an addition to the Continuing Services Budget growth list of approximately £32,610 per annum thereafter.

9.2 Restrictive Covenants – Houses in Multiple Occupation

9.3.1. A policy for approving the variation of restrictive covenants placed on any sale of a former Council house, to grant permission for its use as a privately-rented accommodation, was determined. Previously there had been a large number of former Council houses on estates which appeared to be in use as privately rented shared accommodation without the covenant having been varied. The new policy provided a clear policy on instances when restrictive covenants, preventing a former Council house from being used for privately-rented shared accommodation, could be varied.

9.4 Off Street Parking Programme

9.4.1. Approval was given to a revised ranking table for future off-street parking schemes. Subject to the retention of the current budget for the off-street parking programme within the revised Capital Programme and following completion of the schemes at Hillcroft in Loughton, Colebrook Gardens in Loughton, and School Lane in Abbess Roding, construction on the next three schemes, namely Chester Close, Harvey Gardens and Audley Gardens (all in Loughton) would be progressed. Approval was also given to detailed feasibility studies being undertaken on schemes at Worningford Court in Waltham Abbey, Barfields Gardens in Loughton and Avenue Road, Theydon Bois.

9.5 HRA Financial Plan

9.5.1. Having taken account of the views of the Tenants and Leaseholders Federation, the Council agreed a general strategic approach for the HRA Financial Plan. This involved provision being made within the Financial Plan to fully maintain the Council's housing stock to a modern standard, based on current stock condition and standard industry life cycles, as opposed to maintaining the stock at the current minimum Decent Homes Standard. To achieve the Council's aspirations to commence a new Council House Building Programme, provision was made within the Financial Plan to fund such a Programme on the basis that individual development packages were self-funding, without any support or funding from the general Fund, subsidised if necessary from:

- Grant from the Homes and Communities Agency (HCA);
- Section 106 Agreement contributions from developers, in lieu of on-site affordable housing provision;
- If allowed by the Government, the proceeds of Right to Buy (RTB) sales as a result of the Government's proposal to increase RTB discounts whilst ensuring that a new affordable home was provided to replace the affordable home lost;
- Housing Revenue Account (HRA) surpluses; and/or
- Cross-subsidy from the sale of other development sites within the Housebuilding Programme on the open market;

9.5.2. It was further agreed that average rent increases included within the Financial Plan be based on the following rent increases to achieve rent convergence by April 2017;

- Average rent increases of 6% in April 2012;
- Average rent increases of the Retail Price Index (RPI) + 1.96% for the four years between April 2013 and April 2016 inclusive; and

- Average rent increases of RPI + 0.5% from April 2017, as assumed by the Government within the HRA debt settlement;

9.5.3. Notwithstanding the provision for rent increases included within the Financial Plan, consideration will now be given each year during the HRA budget process to the possibility and appropriateness of making a lower rent increase for the following year, having regard to the short and long term effects on the Financial Plan, the need to meet the Council's housing and financial objectives, Government guidance and the effects on tenants.

9.5.4. Provision has also been made within the Financial Plan to fund £770,000 per annum for housing improvements and service enhancements for the next eight years, increased to £5.47 million per year from Year 10;

9.5.5. Subsequent to making these assumptions, the interest rate to be actually charged by the Public Works Loan Board for the Council's loan was 3.5% less than the 4.75% originally envisaged. In addition, the Council's final debt settlement from the Government was further reduced by £740,000 to £185.5 million. Finally, by extending the pay-back of the debt until Year 30 of the HRA Financial Plan, additional funding for housing improvements and service enhancements has been able to be made available. Arrangements were also agreed for regular reviews of the Plan, at key times of the HRA budget process in March and October, to further inform the budget-making decisions.

9.6. Housing Improvement and Service Enhancements

9.6.1. Through the additional resources of £770,000 per annum identified within the new HRA Financial Plan, approval was given to the following housing improvements and service enhancements:

- Installation of mains-powered smoke detectors in 2012/13 in all Council properties that would not have other planned electrical work undertaken within the next four or five years;
- Introduction of a free Handyperson Scheme at the Council's sheltered housing schemes for all tenants, through the employment of a multi-skilled operative by the Council's Housing Repairs Service;
- An annual grant of £36,000 per annum to Voluntary Action Epping Forest (VAEF), initially for a three-year period, to fund a Handyperson Scheme to provide a similar free service as that proposed for sheltered housing schemes for Council tenants with defined physical disabilities, who have nobody without any defined physical disabilities living with them; and Council tenants over 60 years of age, who have nobody of working-age living with them;
- An increase in the Disabled Adaptations Budget by a one-off sum of £75,000 in 2012/13, to replenish the cost of undertaking large adaptations required in that year and to enable the same number of non-major adaptations to be undertaken as usual;
- Conversion of the existing toilet facilities in the communal areas of a number of sheltered housing schemes and community halls to incorporate disabled toilets;
- Refurbishment of the common room and kitchen area at Jessopp Court, Waltham Abbey as a second lounge; the remodelling of Jessopp Court from a very sheltered housing scheme to a conventional sheltered housing scheme;

- Increasing the size of the Council play area on the Princesfield Estate, Waltham Abbey, with the provision of additional and improved play equipment;
- In light of the successful Pilot Scheme, the installation and use of key safes in the Council's remaining sheltered and grouped housing schemes:
- The creation of a new post of Housing Under-occupation Officer to provide practical assistance to vulnerable under-occupying Council tenants who have insufficient family support to transfer to smaller Council accommodation and generally seek to reduce under-occupation in the Council's housing stock;
- The doubling of the Estate Improvements and Enhancements Budget to £40,000 per annum, to enable additional estate improvements and enhancements to be provided across the District;
- Funding provided to Voluntary Action Epping Forest for the Garden Maintenance Scheme for Older and Disabled Tenants being increased by £20,000 per annum for two years from 2012/13, in order to increase the number of vulnerable Council tenants benefitting from the Service;
- Provision of an additional 21 dog waste bins on Council housing estates across the District;
- The award of a one-off grant of £10,000 to the proposed new Furniture Recycling Scheme, subject to the grant not being provided until there is surety and sufficient evidence provided that the Scheme will become operational and sustainable.

9.7 Private Sector Housing Strategy 2012-15

9.7.1 The Private Sector Housing Strategy for 2012-15 was adopted. The Strategy, subsequently published on the Council's website, replaced the existing Strategy which had expired in 2011. It had been formulated to deal with the conditions in the District's private sector housing stock, as demonstrated by the findings of the Private Sector House Condition Survey carried out in the Summer of 2011. The Strategy also took its direction from legislation and from the current economic climate. It introduced changes to the policies in the previous Strategy relating to the enforcement of private sector housing standards, bringing empty properties back into use and giving advice, assistance and specialist support.

9.8 Succession to a Secure Tenancy

9.8.1. All of the Council's existing secure tenants enjoy many rights under the Housing Act 1985 Part IV (Tenants Charter). One of these is the right to succeed to ("take-over") a tenancy upon the death of a tenant. Any successor tenant who is either a spouse or a civil partner is able to remain at the accommodation regardless of any under-occupation. However, under the previous legislation, in the case of a family member, if the accommodation afforded by the dwelling-house was more extensive than was reasonably required by the tenant, then the Council could serve a notice of seeking possession more than six months, but less than twelve months, after the tenant's death, requiring them to vacate and move to smaller accommodation unless the Council's Under-occupation Policy was applicable.

9.8.2 Under the new Localism Act, the right of succession by family members had been repealed for all new post-Localism Act secure tenants. However, the Act had inserted a new provision within the Housing Act 1985 which gives powers to councils to allow family members to succeed if councils choose to do so. It was agreed that all new post-

Localism Act secure tenants be given the right for family members to succeed (as per current arrangements) provided there is **no** under-occupation and that they have been living at the accommodation as their only or principal home for at least three years (ie. longer than the current statutory 1 year). Where there are under-occupying, they would be required to move to smaller and more suitable accommodation.

10. SAFER AND GREENER PORTFOLIO

10.1 Biological Records in Essex

10.1.1. The Council entered into a service level agreement with the Essex Wildlife Trust to support the development and setting up of a Biological Records Centre in Essex. Included within its remit was the receipt of habitat and species data for use in local authority decision-making and to help local authorities with their statutory obligations in relation to biodiversity.

10.1.2. Whilst there are many organisations and individuals across the county that collect, hold and manage biological data, a local records centre brings all these records together so that they can be checked, verified and made available more easily to those requiring the information. This particularly includes planning authorities when dealing with applications for development or other land use charges.

10.1.3 When determining planning applications in accordance with the Local Plan and the presumption in favour of sustainable development, local authorities aim to conserve and enhance biodiversity through avoidance, mitigation and compensation. Policy NC4 of the Local Plan states that *'Development proposals will be expected to make adequate provision for the protection, enhancement and suitable management of established habitats of local significance for wildlife. Such provision may be more stringent when there are known protected species either on the site or likely to be affected by the development'*. The Biological Records Centre provides specialist advice and information on priority species to help the Council meet these obligations.

10.2 Street Naming and Numbering Service

10.2.1 Charges for the Street Naming and Numbering Service were introduced from 1 October 2011. The charges introduced were £49 for an individual property, plus £16 for each additional property thereafter. The charges agreed were based on the actual time taken to undertake the task and the costs of the required new computer software. It was anticipated that this would generate a net income of approximately £8,000 per year.

10.2.2. The Street Numbering and Naming Service was previously provided free of charge, with the exception of where a housing development changed after the initial consultation had been carried out. The process could involve a significant amount of resource both in staff time and associated costs, and the costs for this service had been met by the Council Tax payer rather than the developer or new resident to the District. The relevant legislation enabled the Council to levy charges to cover the costs incurred.

10.3 Off –Street Parking Enforcement across the District

10.3.1 The Council entered into a five-year contract for on and off street parking enforcement with Vinci Parks Limited in September 2007, with the option to extend by a

further two years. Following the formation of the North Essex Parking Partnership (NEPP), the on street enforcement responsibility would transfer to the Partnership at the end of September 2012 at the time when the option to extend the contract with Vinci Parks have been implemented.

10.3.2 Discussions with Vinci Parks for the extension of the off street element of the contract took place. However it had also been considered prudent to seek from the NEPP a bid for the delivery of the off street enforcement functions to sit alongside those being undertaken on street. On balance it was decided to agree the Partnership bid of £250,000 to manage the Council's off street parking enforcement for a five year period commencing 1 October 2012 on the basis that this would be the most cost effective arrangement.

10.3.3 The previous Car Parking Team consisted of four officers. Under the Transfer of Undertakings (Protection of Employment) Regulations all four officers were transferrable to NEPP from 1 October 2012. However, the Council needed to consider the staffing levels required to manage and monitor the arrangement with NEPP, manage its own car parking assets and carry out the remaining highways general fund functions. The off-street car parking operation generated income of over £1.1 million a year and the Council needed to ensure there were adequate staffing resources to safeguard this income after October 2012. Two new posts were therefore added to the Council's establishment, these being a Parking and Street Furniture Manager, and a Parking and Street Furniture Support Officer. It was estimated that these staffing changes would result in increased revenue savings in the sum of £34,000 in both 2012/13 and 2013/14.

10.4 Funding of Police Community Support Officers

10.4.1. Along with Essex Police, the District Council had jointly funded Police Community Support officers (PCSO's) for a number of years. The initial number of PCSO's had been six, but this was reduced to four as part of the 2011/12 budget setting process. The current review of policing in Essex, the 'Essex Blueprint', resulted in significant changes in the way community policing is delivered. Essex Police receive Government funding for a core number of PCSO's in Essex and had indicated they would no longer be able to support the funding of PCSO's beyond this core number. Therefore, as Essex Police are unable to fund those additional posts, and the Council did not want to fund the PCSO's in their entirety, it seemed appropriate for the Council to cease its joint funding. The arrangement came into effect at the end of the 2011/12 financial year, resulting in a saving of £62,750 for 2012/13.

10.5 Off-Street Car Parking - Traffic Orders

10.5.1 Approval was given to the making of the Off Street Parking Order 2011. The original order had been sealed in 2003. This controlled the use of the Council's car parks and since 2003 there had been a further three orders made which had amended the original order. In addition, the Council had published a number of notices varying parking charges over time in accordance with previous budget decisions. The new Order consolidated all previously made orders, regularised the use of the Council's RingGo system and introduced a new class of Permit to allow, at the Council's discretion, use of parking places for commercial enterprises.

10.5.2 The Council is now part of the NEPP and it is important that the Council's Parking Orders are robust, up to date and reflect current operation. The use of Commercial Permits allows additional income to be generated within the car parks.

11. SUPPORT SERVICES PORTFOLIO

11.1 Fleet Operations – New Equipment

11.1.1 Fleet Operations, based at the Langston Road depot, is responsible for maintaining, servicing and repairing the Council's fleet vehicles, carrying out taxi and private hire vehicle inspections and is a registered vehicle testing station with the Vehicle and Operator Services Agency. MoT testing is undertaken for a number of local franchised car dealerships and small local garages, as well as staff, Councillors and the public. In 2010/11, the service made an operating surplus of £85,544.

11.1.2 Approval was given to the purchase of a new lift/ramp and ancillary equipment to provide an additional bay for MoT tests, at a cost of £24,000. Prior to the purchase of the new bay, an average of 20 tests per week were being turned away, with a resultant potential loss of £46,000 income per annum.

11.2 Public Relations and Information Service

11.2.1 In the light of reductions in Government funding and the requirement for the Council to seek revenue savings, the Public Relations and Information Service had looked at ways in which savings might be achieved, whilst protecting its front line service. The most suitable option identified was the transfer of the satellite information services in Loughton and Waltham Abbey to Essex County Council Library Service. This option, which was agreed for implementation, endorsed the principles of providing satellite information services through a third party at a reduced cost, whilst creating an income stream through the provision of specialist communication services to another public sector organisation. It was also agreed to hold discussions with Uttlesford District Council regarding the potential for a shared public relations and information service.

11.3 Smoke Free Workplace and Public Place Policy

11.3.1 The Council's Smoke Free Workplace and Public Place Policy was introduced on 2007, reflecting the provisions of the Health Act 2006. Consideration was given to a proposition put forward that smoking should also be banned from all enclosed areas of the Civic Offices and at other Council sites. It was decided this would be difficult to enforce and might also discourage current employees who smoked and prospective employees, from working for the Council. As a compromise, it was agreed to retain the existing Policy but with smoking breaks no longer permitted in work time and staff wishing to smoke having to use their flexi time to do so.

11.4 Pay Policy Statement

11.4.1 The Localism Act 2011 requires the Council to publish a Pay Policy Statement setting out the details of its remuneration policy, with particular regard to its highest and lowest paid employees. Approval was given to the 2012/13 statement which reflected remuneration in the broadest terms and included items such as fees, allowances,

benefits in kind, pension entitlements and options in respect of the car leasing scheme which was under review.

Report to Council

Date of meeting: 31 July 2012

Subject: Overview and Scrutiny report to Council – July 2012

Contact for further information: Councillor Richard Morgan



Recommendation:

That the Overview and Scrutiny progress report from April 2012 to the present be noted.

Report.

Overview and Scrutiny Committee Meeting – 17 April 2012.

1. At our meeting on Tuesday, 17 April 2012, we noted that the call-in on Fire Safety in Flat Blocks had been referred to the Housing Scrutiny Standing Panel as the Panel had previously discussed the matter in detail. This was considered at their meeting held on 31 May 2012, when they endorsed the Cabinet's original decision.
2. We next considered two reports from the Constitution and Member Services Standing Panel. The first was on the Executive and Regulatory Council Decision Making. This recommended various changes tidying up the Constitution on matters concerning the council's property interests and regulatory decisions.
3. The second report was on the circulation of agenda, recommending that non-members of any council body be invited to 'opt in' to receive paper agendas. This was so the amount of paper copies could be reduced; members could always access the relevant agenda from our website. The Committee also noted that there was the possibility to moving to an electronically based system, such as using i-pads, however, legal opinion was currently being sought on the legal validity on doing this.
4. We next reviewed our draft annual report and our work programme at the end of the year, noting that we had completed the majority of the work and that any items not completed would be carried over into next year's programme.
5. The Chairman of the Safer Cleaner Greener Standing Panel informed us that they had considered a report on the arrangements of the new Highways Panel at their last meeting. They recommended, and we agreed, that the Council opt-in to the arrangements of the County and participate in the Panel by having our Appointments Panel nominate seven District Council members to sit with the seven County Council members on the new Highways Panel and make joint decisions on highway matters affecting our district. We also agreed that the District should administer the Panel meetings giving us more control over the running of the Panel. We also agreed that these arrangements should be reviewed in a year's time.

6. We then reviewed the recent training that we undertook with Harlow members in the previous month. The two courses were considered successful and we hoped to arrange future events using the same trainer. We also were hopeful that more members would take up this opportunity.

7. We also considered that the current arrangements of Overview and Scrutiny should be reviewed again, as it had not been done for some 6 years. To this end we proposed that a Task and Finish Panel be set up in the new-year to carry out a full review of all the O&S systems.

Overview and Scrutiny Committee Meeting – 7 June 2012

8. At their first meeting of the year with a new Chairman, the Committee received the Key Objectives Outturn report for 2011/12. The key objectives are adopted annually by the Cabinet are reviewed on a six monthly basis both by Overview and Scrutiny and the Cabinet. We reviewed the key objectives and commented on each one in turn. Our committee expressed concern over the continuing long term nature of some of the projects listed, such as the new depot at Oakwood Hill; the development at North Weald Airfield and the relocation of services from the Langston Road depot

9. We went on to endorse the Overview and Scrutiny Annual report for submission to the July Council meeting and noted the large amount of work that the scrutiny process got through last year. We also agreed the membership of the Standing Panels, the new Task and Finish Panel and agreed our upcoming work programme.

Overview and Scrutiny Committee Meeting – 17 July 2012

10. At our meeting we heard two call-ins, one on the Pyrles Lane Nursery and one on the Local Plan Consultation.

11. The first call-in was on the outline planning application for the redevelopment of Pyrles Lane Nursery. This was concerned with the perceived lack of consultation with ward members, concern with road safety matters, the perceived pre-empting on the consultation on the new Local Plan and if there had been any cost benefit analysis done. The Committee gave this a through hearing and debate, but in the end did not support the call-in.

12. We next considered the second call-in on the consultation period for the Local Plan 'Statement of Community involvement - issues and options'. The members calling this in considered that the consultation period was not long enough, considering that it ran through the holiday month of August and that the timescale for road shows did not permit sufficient time for informed responses from residents. After a lengthy and detailed debate the Committee agreed to recommend to the Local Plan Cabinet Committee that the consultation period be extended to 12 October 2012, as we agreed that August was a holiday month, it would also allow more time for the road shows and to enable a more detailed debate to be had.

13. We then considered changes to the Finance and Performance Management Standing Panel's Terms of Reference, as they had updated them making them more relevant and ensured that they accurately reflected the activities of the Panel. This we agreed to. We also agreed to minor changes to the membership of the Safer Cleaner Greener Standing Panel.

14. We noted that at our next meeting, in September, we would have a presentation from the Corporation of London on the management of the forest.

Report to Council

Date of meeting: 31 July 2012

Subject: Annual Overview and Scrutiny Report to Council

Committee: Overview and Scrutiny

Chairman: Councillor Richard Morgan



Recommendation:

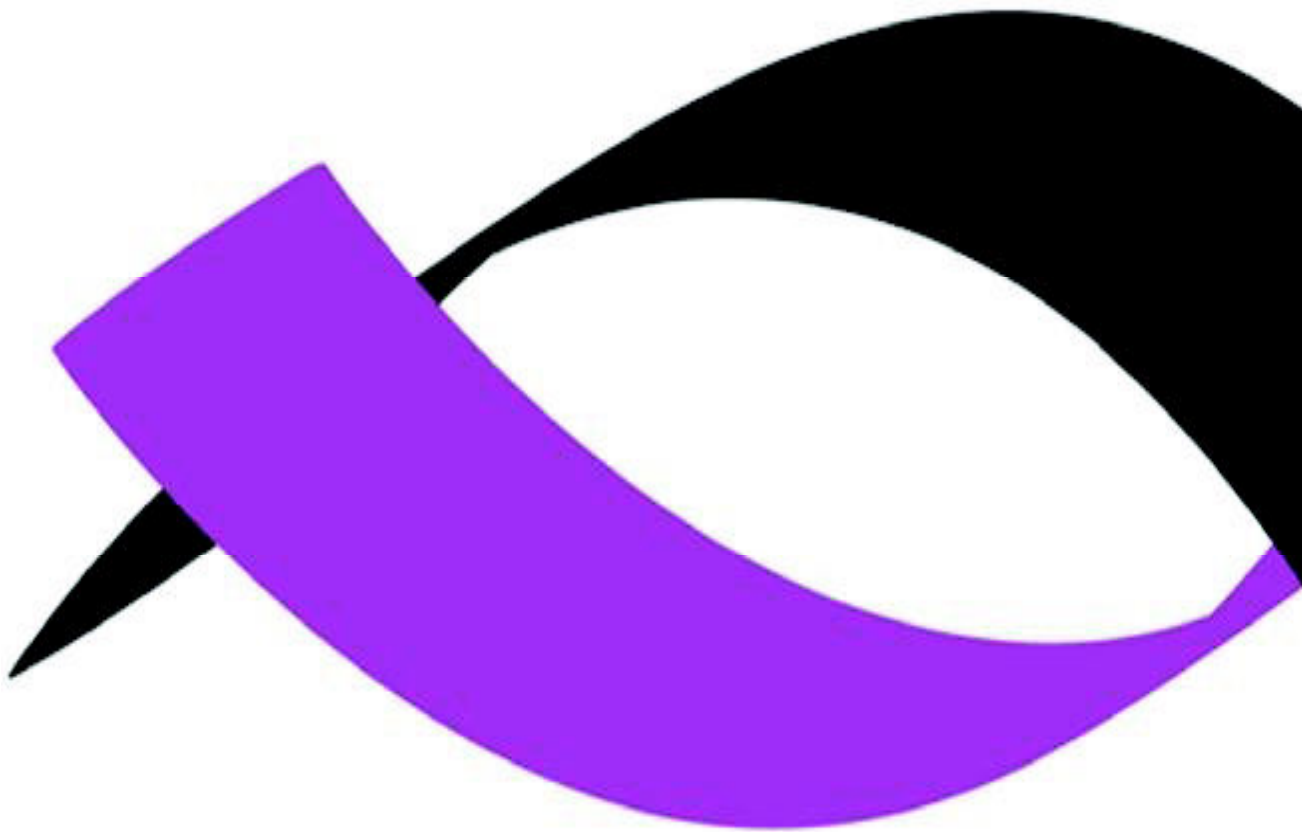
That the work undertaken by the Overview and Scrutiny Committee, the Scrutiny Standing Panels and the Task and Finish Panels during the past municipal year as detailed in the annual report be noted.

Report:

1. This report was produced in accordance with Overview and Scrutiny Procedure Rule 24 of the Constitution that requires an annual report to be submitted to the Council at the start of each year.
2. This is the seventh annual report under the new scrutiny regime instituted by the Council in April 2005, incorporating the Scrutiny Standing and the Task and Finish Panels.

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Overview and Scrutiny Annual Report 2011-2012



Epping Forest District Council

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OVERVIEW AND SCRUTINY ANNUAL REPORT: MUNICIPAL YEAR 2011/2012

Introduction and Welcome from the Chairman

Welcome to the seventh report of the Overview and Scrutiny Structure of Epping Forest District Council. The Overview and Scrutiny Committee and Panels are charged with reviewing Cabinet decisions, the Corporate Strategy, the Council's financial performance and also scrutinising the performance of the public bodies active in the District by inviting reports and presentations from them.

At the beginning of the 2011/12 municipal year the Overview and Scrutiny Committee agreed to the setting up of five Standing Panels for the year and in September 2011 set up a Task and Finish Panel.

As Chairman I would like to thank all the members of the various Standing Panels for their efforts to complete a particularly busy year for Scrutiny. As always we work to examine current topics which are of interest to residents and also to ensure the council provides the best value for money and that we investigate and make recommendations to the council on selected areas.

Cllr Richard Bassett
Chairman, Overview and Scrutiny

What is Scrutiny?

- Scrutiny in local government is the mechanism by which public accountability is exercised.
- The purpose of scrutiny in practice is to examine, question and evaluate in order to achieve improvement.
- The value of scrutiny is in the use of research and questioning techniques to make recommendations based on evidence.
- Scrutiny enables issues of public concerns to be examined.
- At the heart of all the work is consideration of what impact the Cabinet's plans will have on the local community.
- However, the overview and scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Cabinet. Rather the two aspects should be regarded as 'different sides of the same coin'. The two should compliment each other and work in tandem to contribute to the development of the authority.

Alongside its role to challenge, the scrutiny function has also continued to engage positively with the Cabinet and there continues to be cross party co-operation between members on all panels.

Scrutiny has continued to provide valuable contributions to the Council and the Cabinet remained receptive to ideas put forward by Scrutiny throughout the year.

The rules of the Overview and Scrutiny Committee also allow members of the public have the opportunity to address the Committee on any agenda item.

The Overview and Scrutiny Committee

The Committee coordinated with the Cabinet about their work plans for the year and pre scrutinised their agenda and reports at its meetings the week before Cabinet would meet. Liaisons with the Cabinet would take place to discuss the wider work programme that would be approved and reviewed annually. This acted as a troubleshooting exercise, unearthing problems before they arose.

The Committee also engaged with external bodies in order to scrutinise parts of their work that encroached on the District and its people.

Two call-ins were received this year (for details, see Scrutinising and Monitoring Cabinet Work on page 8). However, only one has been examined, which was on the Leisure and Wellbeing Portfolio Holder's decision on the funding of the Olympic "Look and Feel". The second was about Fire Safety in Flat Blocks was still to be examined.

Standing Scrutiny Panels

A Lead Officer was appointed to each panel to facilitate its process. The Overview and Scrutiny Committee agreed the terms of reference for each of the Panels on the basis of a rolling programme. The Standing Panels have a 'rolling programme' to consider ongoing and cyclical issues. Five Standing Scrutiny Panels were established, dealing with:

- i. Housing
- ii. Constitution and Member Services
- iii. Finance and Performance Management
- iv. Safer Cleaner Greener.
- v. Planning Services

Standing Panels reported regularly to the Overview and Scrutiny Committee on progress with the work they were carrying out.

Task and Finish Panels

The Task and Finish reviews are restricted to dealing with activities which are issue based, time limited, non-cyclical with clearly defined objectives on which they would report responses and set a deadline to report to the Overview and Scrutiny Committee. Only one Task and Finish Panel was established during the year and that was the 'Senior Recruitment Task and Finish Panel'. This was established in September 2011 and concluded in January 2012.

OVERVIEW AND SCRUTINY COMMITTEE

The Overview and Scrutiny Committee consisted of the following members:

Councillor R Bassett (Chairman)
Councillor D Wixley (Vice Chairman)
Councillors R Brookes, K Channa, D Jacobs, D Johnson, S Jones, S Murray, M Sartin, D Stallan and G Waller.

The Lead Officer was Derek Macnab, Acting Chief Executive.

Terms of Reference

The Overview and Scrutiny Committee's main functions are to monitor and scrutinise the work of the executive and its forward plan, external bodies linked to the District Council and the Council's financial performance. It is tasked with the consideration of call-ins, policy development, performance monitoring and reviewing corporate strategies.

The Committee's workload over the past year can be broken down as follows:

(a) Scrutinising and monitoring Cabinet work

The Committee reviewed and commented on the Cabinet's Forward Plan and work programme where they identified areas for further consideration. The Committee has a proactive role in this area through carrying out pre-scrutiny work. This involved receiving and considering the Cabinet agenda a week prior to the Cabinet meeting.

(b) Call-ins

The Committee received two call-ins this year. The first Call-in was considered at the November 2011 meeting on the Cabinet decision (C-032-2011/12) on the Olympic Games "Look and Feel" and Ticket Allocation report. The Committee were told that take up by the parishes was limited to just Loughton Town Council and as such the total budget for the item would be £3500 and this would now be found from within existing budgets so no DDF supplement would be required. After an interesting debate the Committee decided not to support the call-in and to confirm the Cabinet's decision, which could then be actioned.

The second call-in was on the Cabinet decision (C-067-2011/12) on Fire Safety in Flat Blocks. The members who called this in generally agreed with the decision, but not with all aspects. As this was received very late in the year it was referred to the first meeting of the Housing Scrutiny Standing Panel in the new year as they had previously discussed the matter in detail.

(c) Standing Panels work programme monitoring

The Committee received regular updates from the Chairmen of the various Scrutiny Panels reporting on the progress made on their current work programme. This allowed the Committee to monitor their performance and when necessary adjust their work plans to take into account new proposals and urgent items. In January 2012 the

Planning Services Standing Panel sought and got permission from the main Overview and Scrutiny Committee to completely update their Terms of Reference and Work Programme.

(d) Items considered by the committee this year

This year the Overview and Scrutiny Committee received various presentations and considered a range of diverse topics.

Presentations:

(i) London Underground - The Committee at their meeting in July 2011 received a presentation from Peter Tollington, the General Manager of the Central Line, and Michael Graves the group station Central Line manager from London Underground Limited (LUL). They gave a presentation covering their current plans for refurbishment of the stations and tracks in the district and an outline of their plans for the upcoming Olympic Games. They told us the Central Line handled 650,000 people a day and is at capacity in the rush hour with 79 of their 85 trains being used. They hope to have “refurbished” the trains with new seats and windows by May 2012.



The meeting was then opened out to a long session of questions from the members. The questions ranged from the capacity on trains, engineering works, oyster cards, security at unmanned stations and parking issues outside the stations. Peter Tollington confirmed that at present there were no plans to increase capacity of parking at any station at present but members proposed several possible improvements to parking at the stations in our area which he agreed to investigate. The LUL representative’s answers proved to be very helpful and informative and they also agreed to respond to members with some extra information on questions where they needed to check the details.

(ii) Essex Police - At their meeting in September, they received a presentation from Chief Superintendent Simon Williams, Essex Police and County Councillor Anthony Jackson, Chair of the Essex Police Authority.



For this meeting, there was a large number of the public attending to hear what the Police had to say. The Chief Superintendent took the Committee through their ‘Blueprint for Essex Policing’, this being their blueprint for managing the government cutbacks and the reorganisation of their services. This would be to enable them to streamline their services while making a £41million savings by 2014/15 as demanded by the Government.

The main facts were that even though the plan was to have 388 fewer officers by 2014 with the reorganisation, it was envisaged that there will be about an extra 55 offices in the front line of the Local Policing Areas (LPAs).

It was also confirmed that the Neighbourhood Action Panels would still be used and they reiterated the need to work closely with the public and safer communities groups.

The meeting was then opened out to a long question and answer session from the committee and other members present. The questions ranged from the number of police officers occupied in backroom duties to the opening hours of policing stations and their potential closures and the operational independence of the Chief Constable.

(iii) Education in Essex - At their October meeting, the Committee received a lively and passionate presentation from Geoff Mangan, the Epping Forest 14-19 Co-ordinator for Epping Forest Secondary Schools and also the West Essex Secondary Schools Facilitator with the West Children's Commissioning and Delivery Board for Essex County Council.



He spoke of the changing status of Epping Forest schools and the impact this would have and if any of our schools were in danger of falling below the 'floor targets'. He also spoke on how our schools coped with 'vulnerable' pupils and how they were affected by funding changes.

There are 35 Primary schools, 6 Secondary schools and 1 College in our District. It was noted that schools were collaborating and sharing good practice and by January 2012, 60% would be academy schools. The College had improved enormously over the last three years, improving retention levels from 82% to 93% since 2007; course completions were up from 50% to 85%; and 'A' level success rising from 67% to 75%.

He had concerns that schools were just doing enough to get their pupils through the exams with 'C' grades, thus ensuring they get and keep their funding and improve their standing in the league tables. However, 'C' grades were not enough to enable the children to go for 'A' level courses.

Epping Forest had the best NEET (Not in Employment, Education or Training) figures in the county and were good at keeping its children inside the system. However, the educational system in general was struggling with all the government changes in recent years. He also had concerns that if schools became academies and stand alone schools they would lose the vulnerable pupils as they would only be interested in improving their results. There were also other challenges ahead for schools and students since the loss of Connections, work experience placements and the EMA.

(iv) Youth Council - At their meeting in November 2011, they received a lively and confident presentation from five members of the Youth Council, who gave an outline of the work they had undertaken over the last year. One of the key themes for them had been young peoples' safety, where they had undertaken projects to address the issues of safety and their fear of crime. Among the things that they had produced was a young person's guide to reporting crime, a very useful pocket size guide explaining the reporting system. They had also attended or organised various community projects such as the Intergenerational Fun Day at Ninefields Hall in Waltham Abbey and the Youth Project of the Year Award.



They had also acted as a consultative body, taking part in consultations for the LSP, the White Water Rafting Centre and the City of London, to name but a few.

The £12,000 funding from the Council covered the cost of their training, the overall development of the Youth Council and also any event they organised and crucially, the transport costs for the young councillors.

The Committee also noted that they had also secured £9,425 of funding from external sources with at least another £700 to come in this financial year. Additionally, they had been allocated £1350 from the Council's Safer Communities Partnership to support their work relating to safety and the reporting of crime by young people.

The meeting was opened out to a question and answer session from the Committee and other members present. In the end the Committee were impressed with the work done by them and were very happy to recommend to the Cabinet that they receive their DDF funding of £12,000 for the new 2012-13 year.

(v) Local Strategic Partnership (LSP) - At their January 2012 meeting, the Committee received a presentation from the LSP Manager, John Houston. He took the Committee through the LSP's work over the past year and touched on the issues around the upcoming locality boards. They had four theme groups on the go, looking at Healthier Communities, Sustainable Communities, Safer Communities and Children and Young People. Their current big project was the 'One Shop Local' website where local businesses could advertise their services. After only five or six weeks of operation, they had about 120 businesses signed up and this number was growing. Despite some negative comments by some of the local press, the speed that the system has been brought to the public and the numbers of businesses who have signed up and are offering vouchers to residents to shop local was impressive.

Locality Boards were discussed and the Committee were informed that detailed government guidance was still needed. This meant that no firm plans had been drawn up to how they would operate as without guidance it would be counter productive. It was noted that Epping Forest already had very good partnership working in place and did not need or want to add any layers of unwanted bureaucracy.

(vi) Children's Services in Essex - In March 2012 the Committee received a presentation from County Councillor Ray Gooding, the Deputy Portfolio Holder for Children's Services; Jenny Boyd, the Director of Local Delivery West and Lonica Vanclay, Head of Locality Commissioning. They were there to speak about progress made by County on the provision of children's services and to respond to the recent District Council's Task and Finish Panel's report on children's services.



The Committee noted that in recent years ECC's Children's Social Care was characterised by high levels of unallocated work; the use of high numbers of agency staff; and that they were risk adverse with a process led and procedure driven culture, which was managed from the centre. This tended to lead to high numbers of children in care and subject to child protection plans, with a significant number of serious case reviews with a high spend on legal services; this resulted in defensive

or reactive practices. Essex County Council reacted by putting in a strong and robust improvement plan which resulted in an improved Ofsted inspection.

One of the Task and Finish Panel's recommendations had asked for a formal system to be put in place so that elected members were informed of how to and who to liaise with at County when they had problems or safeguarding issues. In response to this County had set up the Members Enquiries Team in May 2011 as part of a pilot to improve and establish a process for responding to Member and MP correspondence.

The Committee acknowledged that the improvements from County were welcome but much more needed to be done and as such it was work in progress. The Committee agreed to send any extra questions directly to Councillor Ray Gooding and he agreed to return to Overview and Scrutiny in the next business year to provide a further update on progress.

(vii) Upcoming Health Reforms – In March they also received a presentation on the upcoming health reforms. However, neither of the people booked to present this presentation could attend and gave their apologies. In their place the Committee had as a last minute replacement, Lynn Seward, Harlow's Head of Community and Customer Services. She noted that there were now statutory duties placed on District Councils regarding public health and community safety.



Local authorities were required to tackle the causes of preventable ill-health and inequalities; support individuals in making healthy lifestyle choices; support community development and a sense of wellbeing; hold others to account for ensuring appropriate access to health services; and act as an advocate/ lobby for investment of resources for improvements.

Other topics considered:

(i) The Committee received the Key Objectives Outturn report for 2010/11. The key objectives as adopted annually by the Cabinet are reviewed on a six monthly basis both by Overview and Scrutiny and the Cabinet. They reviewed the key objectives and commented on each one in turn.

(ii) In May 2011 they received the final report of the Children's Services Task and Finish Panel. This also went to the July meeting of the Cabinet. The Committee thoroughly endorsed this report, agreeing with their recommendations, which they commend to the Cabinet. They also wished to congratulate the Members and Officers concerned on an excellent piece of scrutiny work, which was now available on our website to read. They suggested that should the recommendations be endorsed by Cabinet then O&S would be a suitable place to take the recommendations further and to work on detailed resource and costing implications.

(iii) In July 2011 the Committee considered a report on the Lea Valley Regional Park Authority, the Olympic and Paralympics Games and the legacy benefits for the district. They noted that this would lead to increased sports participation, volunteering, tourism and cultural opportunities. One of the main contractors had offered a number of apprenticeships to young people and the White Water Centre, uniquely, had already been opened to the public and was proving very successful. It was also noted that a multi partnership Olympic Legacy Board had been established with a temporary two year Olympic Officer post to maximise the legacy potential and

development opportunities. A consultants report had been prepared for the Legacy Board on development and regeneration opportunities

(iv) They reviewed the recent referendum and the District and Parish/Town Council elections held in May. This was a round up of the problems faced and the solutions put in place in the running of the elections. There were no significant problems encountered this year and the Committee were happy with the outcomes.

(v) Two other reports were considered in July, one was on the Member Complaints Panel and the revision of the council's constitution in regards to the limits of jurisdiction of the Panel. The other report was on changing the member substitution rules, allowing for last minute substitutions up to 60 minutes prior to the meeting. Both these reports went to the Council meeting on 26 July, where they were agreed.

(vi) In September the Committee considered a consultation report on revising the charges at the Dartford – Thurrock river crossing. Their preferred preference was that the charges should cease as soon as possible to assist businesses and also to prevent environmental pollution caused by queuing vehicles. However, they realised this might not be possible so if a new crossing was to be established it should be designed with new technology which removes the need for vehicles to stop at gates. Any new toll charges should be used to pay for its construction. It was also suggested that if the charges were to be put up then variable message signs be put in place along all major routes leading to the crossing to indicate what the new charges are and to allow people to choose to use alternative routes.



(vii) They then received an information item on the Government's consultation on their future plans to introduce single voter registration. They noted the pros and cons of the new proposals, noting that it would have a high setting up cost but in the long term be more accurate and help reduce fraud. The Committee were asked to put any comments that they may have directly to the Returning Officer who would feed them back to the Government.

(viii) In September they also established a new Task and Finish Panel to look into the recruitment of senior staff.

(ix) In October they considered the Cabinet's Forward Plan, scrutinising the Cabinet's corporate priorities for 2011-12; going through their forward plan and asking questions where appropriate.

(x) They also received an information item from Councillors Chana and Wixley on their recent meeting on the proposed Merger of Barts and the London, Whipps Cross and Newham NHS Trusts. They noted that this would definitely be going ahead, with the three hospitals each specialising in different areas of medicine. They met again to discuss the financial implications and then again two weeks after that to discuss the clinical implications.



It was noted that the driving force behind the merger was a need by the combined trusts to save £237 million over the next five years. The merger would help them to do that and also achieve Foundation Trust status (Government requirement for all Trusts). The merger would also provide benefits for patients and staff as closer working would provide opportunities for “best practice” to be established, including improved patient record handling and improved Staff training.

(xi) The Committee received a report on Essex County Council’s response to the recommendations made by the recent Children’s Services Task and Finish Panel. The Panel investigated the effectiveness of children’s and young people’s services and safeguarding arrangements, provided through Essex County Council (ECC) and EFDC’s own services and partners. In the end the Panel identified 10 key recommendations, half of which related directly to ECC and these were forwarded directly to the Director of Children’s Services Commissioning at Essex County Council for their comments.

The Committee thought that their response was a little too vague and unhelpful and noted that they were scheduled to meet with the relevant ECC children’s officer in early 2012 and asked that the relevant Portfolio Holder also be asked to attend.

(xii) In November they considered a report on a Government Consultation on the Technical Reforms of Council Tax. It proposed reforms to the Council Tax system from 2013-14. On consideration the Committee agreed with the officers’ draft responses to the consultation questions especially on not increasing the payment of Council Tax from 10 months to 12 months as the default option.



(xiii) The Committee received three reports from the Constitution and Member Services Standing Panel, one concerning the Audit and Governance Committee – appointment of Portfolio Holder Assistants, which was endorsed and recommended to Council. The second report was on reporting by Scrutiny Panel Chairmen at Council and other council body meetings, which they approved and so recommended to Council. Lastly, they considered changes to the member agenda dispatch arrangements which were noted and agreed and so recommended to the Support Services Portfolio Holder.

(xiv) In January they considered the Budget report for 2012-13 that had already gone to the joint Finance and Performance Management Cabinet Committee and Scrutiny Panel the week before. The Committee also received a short report from the Chairman of the Finance Standing Panel on their thoughts on the budget. After discussions and clarification on various items the Committee noted the report and agreed the recommendations.

(xv) They also considered the final report from the Senior Recruitment Task and Finish Panel. This went to the February 2012, Full Council meeting for their consideration along with recommendations from the Chief Executive Recruitment Panel.

(xvi) In March 2012 the Committee received a consultation report from the Safer Cleaner Greener Standing Panel on waste related penalties. The Standing Panel had received this report at their February meeting. The Committee noted that that the government wanted to review waste related law on the premise that too many local authorities were unnecessarily penalising residents for what was seen as trivial offences.



The government had now come forward with its proposals for changing the law. The government's preference was to decriminalise, and the Council generally agreed, but with some caveats. They questioned whether the current civil enforcement laws were sufficient to deal the problems which arose. It was thought important however, to ensure that the criminal powers which remain are fit for purpose and enabled councils to take action where appropriate.

(xvii) The Constitution and Member Services Standing Panel introduced their report reviewing two aspects of the terms of reference of the Housing Appeals and Review (HAR) Panel.

They noted that the applicant/appellant had to present their case first; the HAR Panel felt that many struggled to follow the procedure and present a reasonable case. The Panel has said often that it was not until replies were given to questions from the Housing Officer and members of the Panel that the full extent of the applicant's / appellant's case became apparent.

The Panel therefore asked the Standing Panel to consider changing its terms of reference so as to change the order of proceedings, with the Housing Officer presenting his/her case first. This they agreed.

The second part to the report dealt with revising the appeals against the banding of an applicant.

Since May 2010, the Panel has considered nine appeals about the banding of an applicant including seven appeals since August 2011. In all cases the Panel had upheld the officers' decisions and dismissed the appeals. In such cases the role of the Panel was restricted to determining whether an appellant has been placed in the correct Band of the Allocations Scheme by officers having regard to the facts. The majority of these appeals concern priority given for medical conditions and as the Scheme specifies that medical priority is determined by the Council's Medical Adviser, the Panel had little discretion.

The Panel and the Committee agreed that banding appeals should not be dealt with by them and that the right of appeal should end with one of the Assistant Directors of Housing.

(e) Case Study: Review of Secondary and Primary Education in the District

At their October 2011 meeting the Chairman welcomed Geoff Mangan, the Epping Forest Schools 14-19 Co-ordinator for Epping Forest Secondary Schools and also

the West Essex Secondary Schools Facilitator with the West Children's Commissioning and Delivery Board for Essex County Council.



He said that many people were misinformed about what schools did and was here to give his (informed) personal opinion after a long career in the education system and as the ex head of Roding Valley High School.

He spoke about the impact of any Epping Forest schools changing status; if they were in danger of falling below the "floor targets"; how well did they deal with the vulnerable pupils and how they would be affected by the funding changes; and, was there appropriate progression for every Epping Forest learners to post 16 studies.

There were 35 Primary Schools, 6 Secondary Schools and 1 College in the district. The district itself was very diverse with small pockets of deprivation spread out. This meant that it tended to lose out on Government money as they were not concentrated in one identifiable area. It was hoped that these areas would eventually receive some funding in the future.

A lot of schools were in the process of, or thinking about, changing their status to Academy Schools, which are having money thrown at them. Government policy was looking to get outstanding schools to become academies, putting them in direct competition with the lower achieving schools. Schools would have to start working together as Local Education Authorities were practically non-existent nowadays. As the 14-19 co-ordinator Mr Mangan linked the 6 secondary schools helping them to collaborate services etc. schools are now sharing good practice, such as that on attendance, which successfully improved all their attendance records. To help this, the Local Development Group (LDG) holds money in a central pot to help tie schools together and have been very successful in this. Other groups have also been established to help, such as the Area Planning Group (14-19) and the Association of Secondary Heads in Essex, who meet every half term.

Schools had to respond to the changes to keep their funding. It was all part of a process of continuous changes. The Government had set 'floor targets' for schools. 'Floor targets' being a generic term for targets set by the government for minimum standards for disadvantaged groups or areas. The floor target for primary schools was currently 60%, rising to 65% of children to reach level 4 in English and Maths. The target for Secondary schools was for 35% of students to reach 5 A to C grades in English and Maths (rising to 50% by 2015). Schools were getting enough results at grade 'C' to enable them to keep (or get) their money and improve their standing on the league tables. However, he stated this was not very good for the Children as 'C' grades were not good enough to enable them to study at 'A' level. Pupils were not being sustainably coached at English and Maths, but intensively coached to pass the exams. Schools categorised as 'Outstanding' were being sustained by their English and Maths results only, although 'outstanding' was an unclear and ill defined term. They seemed to be moving towards measuring a narrow range of intelligence, where as society needed people who could move around and had a wide range of intelligence.

Epping Forest had the best "Not in Education, Employment or Training" (NEET) figures in the County. EFDC schools were good at keeping children inside the system and it was important that was done, as once outside the educational system they seldom made it back.

He was concerned that if, or when, schools became academies or stand alone schools they would lose sight of these vulnerable pupils as they would only be interested in improving their results.

Presently there was support for vulnerable pupils up to age 16; however they were looking at mentoring students from year 7 up to college age. There were more challenges ahead for schools and students since the loss of Connexions, the Work Experience Placement Scheme and the EMA. The EMA was used to finance travel to and from school/college and to pay for text books. The Work Experience Scheme was also a major loss as most employers favoured someone with work experience. Schools were trying to plug this hole by using their own resources.

The rebirth of the Epping Forest College was a significant change for the better for this district; it has made a big difference over the last three years. The retention of pupils was up from 82% to 93% since 2007; with course completion up from 50% to 85% since 2007; the recruitment from three local schools had also increased for 2011-12 along with the 'A' level success rate, up from 67% to 75% during 2007-10.

On the whole Epping Forest was doing well by its children, although it was struggling with government changes; the best thing it could do was to keep the kids at school increasing their knowledge base.

The Chairman thanked Mr Mangan for his interesting talk, which gave members a better understanding of the issues facing the education establishment.



STANDING PANELS

1. HOUSING SCRUTINY STANDING PANEL

The Housing Scrutiny Standing Panel consisted of the following members:

Councillor S Murray (Chairman)
Councillor Mrs A Mitchell MBE (Vice Chairman)
Councillors Ms R Brookes, K Chana, Mrs A Grigg, Ms J Hart, Mrs S Jones, W Pryor, D Stallan, H Ulkun and Mrs J Whitehouse.

The Lead Officer was Alan Hall, Director of Housing. The Panel also appreciated the Housing Portfolio Holder, Councillor M McEwen, attending the meetings to help them with their deliberations.

Mrs Molly Carter and latterly Stephen Hyde who took over from Mrs Carter as the Chairman of the Tenants and Leaseholder Federation, attended the meetings as a non-voting co-opted member to provide the views of residents and stakeholders.

Terms of Reference

The Housing Scrutiny Standing Panel is tasked to undertake reviews of a number of the Council's public and private sector housing policies and to make recommendations arising from such reviews to the Housing Portfolio Holder, Overview and Scrutiny Committee or Cabinet as appropriate. They also undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Presentation by Mears on proposed approach to repairs Management Contract – The Panel received a presentation from Mears regarding the proposed approach to the Repairs Management Contract. In March 2011 the District Council had agreed to enter into a contract with Mears.



insight into "In-sourcing" and how Mears could help the Council's Housing Repairs Service to improve its performance over the next 3-years.

Now that Mears have commenced in their role as the Repairs Management Contractor, Mike Gammack, who is the nominated Housing Repairs Manager from Mears, attended the meeting of the Housing Scrutiny Panel to introduce himself and to give Members an

(ii) Performance against Housing Service Standards in 2010/11 and Review - Since 2007, following consultation with the Housing Scrutiny Panel and the Tenants and Leaseholders Federation, a range of Housing Service Standards covering all of the Directorate's main areas of activity were formulated. An updated Housing Charter

was also agreed, which set out the Council's approach and ethos to the delivery of its housing service to customers

Since that time, performance against the Housing Service Standards had been reported to this Panel and the Tenants and Leaseholders Federation annually.

The Housing Service Standards and Housing Charter formed two of the three components of the Council's "Local Offer" to tenants, as required by the Tenant Services Authority's Regulatory Framework for Housing.

The Panel noted that it was not possible to measure performance against every Service Standard. In a number of cases, there was nothing that could be measured, since the Standard was a "statement of intent." In other cases, whilst performance could potentially be measured, it was considered that the time and resources that would be required to properly record and monitor performance was not warranted.

As a result of this review, no changes were proposed this year. This was the first year that no changes had been recommended.

(iii) Annual Report on the HomeOption Choice Based Lettings Scheme - As part of its Work Programme, the Panel considered an annual report on the "HomeOption" Choice Based Lettings Scheme. The scheme was introduced in November 2007; it was administered by the external agency, Locata Housing Services (LHS).



Under the scheme, all vacant social rented properties were advertised to applicants on the website, a two-weekly publication and other media giving details of location, type, rent, service charge, council tax band and landlord of the available accommodation. Applicants applied for a property by "expressing an interest" in up to a maximum of 3 properties each fortnight for which they had an assessed need.

As the LHS computer system only stored information for a six-month period, it was only possible to report statistics on this period. The period covered in the report was from November 2010 to May 2011.

A total of 214 properties were allocated during this period. With 21,038 expressions of interest being made, this was an average of around 75 expressions of interest each time a property was advertised.

(iv) Annual Ethnic Monitoring Review of Housing Applicants - The Panel noted that the Council had a Policy Statement for Equal Opportunities for the Provision of Housing Services. The Policy Statement included a requirement for an annual review of the ethnicity of applicants on the Housing Register, compared with the ethnicity of those allocated accommodation.

The review was to identify whether or not there were any indications to suggest the Council may be discriminating against any one ethnic group.

Although a large number of housing applicants did not disclose their ethnicity, it was evident from the analyses that the ethnic make up of the Housing Register mirrored the allocation of vacancies sufficiently for the Council to be confident that its Allocations Scheme did not racially discriminate either directly or indirectly.

(v) Council House Building Programme - The Cabinet had agreed in principle that the Council undertake a modest Council House Building Programme, and had asked the Housing Standing Panel to consider the detailed issues of implementing the programme and make recommendations.

The last Council property was built in June 1985. Since 1977, the Council had sold around 6,160 properties, predominantly through the Right to Buy. Currently, the Council owned and managed around 6,500 properties. Since the 1980s, councils had been discouraged by successive governments from building new social housing and encouraged to act as “enablers” by facilitating Housing Associations. However, the policies of the Government had changed and, mainly as a result of the collapse of the property market in 2008, local authorities had more recently been encouraged to build once again. In August 2009, the previous Government introduced new regulations which removed major financial disincentives.

The Panel concluded that the Council had a number of difficult-to-let garage sites that could be developed to provide an estimated 120 homes over a 6 year period. The proposed approach was to appoint an existing housing association, through a competitive tender process, acting as a Development Agent, and providing all the required development and project management services, rather than the Council employing its own professional team of staff.

(vi) Solar Photovoltaic (PV) to Council Housing - Local authorities and housing



associations were seen as having a vital role in reducing carbon dioxide emissions. According to USwitch energy prices were likely to increase 4-fold by 2020. One way of tackling the rise in energy costs was to generate free use electricity, using renewable energy such as harnessing

energy generated by the sun through Solar Photovoltaic (Solar PV) panels fixed to roofs. This was relatively new technology and cost was quite high. Although over time costs were expected to reduce.

The properties that would benefit the most were those with the largest roof area, that were orientated south and where electricity was being consumed during the day as well as in the evening. On that basis, installing a Solar PV system onto sheltered housing blocks would have the greatest benefit and see the greatest return. It was therefore recommended that the Council install Solar PV itself to all suitable sheltered housing blocks, received the ‘Feed In Tariff’ and used any electricity that was generated to power the communal services, thereby reducing service charges for residents.

However, shortly after that decision was made, the Government announced a significant cut in the amount of grant known as the “Feed-In Tariff” (FIT), which would help off-set the high one-off capital cost of installing Solar PV to generate electricity.

The scale of the change had caused some turmoil in the industry, with many installers either ceasing to trade or writing-off significant investment. Therefore the number of installers available to tender would be far more limited than before which would lead to higher costs.

(vii) Fire Safety in Common Parts of Flat Blocks - Following consultation with the Housing Scrutiny Standing Panel, in January 2011, the Housing Portfolio Holder agreed a policy on fire safety in flat blocks. Personal belongings, fitted or loose long carpets, mats and other items stored in common parts of flats were prohibited and removed with the exception of certain concessions agreed with the Workplace Fire Safety Officer of the Essex Fire and Rescue Service.

The fire safety guidance issued by the Local Government Group advised that few deaths occurred as a result of fire in a neighbour’s flat or in common parts, most

deaths occurred in the flat where the fire started. The most dangerous fires were those within the common parts as these were the areas which facilitated escape. There should be a clear policy on whether common parts must remain completely sterile or subjected to managed use. It was agreed that this part of the report should be deferred for further consideration at a future meeting of the Panel.

In January 2012 this came back to the Panel, with further information. It was recommended that the council considered undertaking a programme of installing smoke detectors in all properties, funded from any resources arising from HRA Self Financing initiative. They also advised that there may be an opportunity of working in conjunction with Harlow District Council, whereby the role of undertaking fire risk assessments could be undertaken collectively, saving resources.

(viii) Housing Revenue Account (HRA) Financial Plan – The Panel held a special meeting in November 2011 and the HRA financial plan.

In March 2012, the Government would be introducing a major change in the way that local authority Housing Revenue Accounts (HRAs) were funded, called Self-Financing. It was therefore necessary to agree the approach to be adopted for the Council's 30-Year HRA Financial Plan, which would be used to inform the treasury management options for borrowing the required finance. The Council would need to make a one-off payment to the Government of probably around £190 million, for which a substantial proportion would be borrowed.



There were two key aspects to this process from the Council's point of view. Firstly, it needed a well planned robust 30-Year Financial Plan for the HRA setting out all expected housing income and expenditure to meet the Council's housing objectives. Secondly, it needed to consider the treasury management options for borrowing the finance, in order to meet the cost of the payment to the CLG, and to ensure that the Council received the best terms.

It was noted that the Council had worked with its treasury advisors modelling the impact of the HRA transaction on the Council's balance sheet position particularly in terms of the cost of this internal loan to the General Fund. The HRA could borrow £122 million from external sources and fund the balance of the transaction, around £58 million, from internal resources.

The Panel deliberations and conclusions were recommended to the next Cabinet meeting.

(ix) Review of Social Housing Fraud Initiative - In May 2010 the Cabinet agreed that a new part time post of Housing Officer (Social Housing Fraud) should be appointed on a temporary part time basis for a Social Housing Fraud Pilot Scheme for a 12 month period. The Council appointed a candidate to the post in May 2011. The Cabinet had asked that after 10 months of the commencement of the project, a formal evaluation should be undertaken and report submitted detailing the findings and future action proposed.



Since the part time Housing Officer (Social Housing Fraud) took up his post, 37 cases of potential social housing fraud have either been, or continued to be, investigated. In view of the success of the Social

Housing Fraud Pilot Scheme, it was proposed that the scheme should be made permanent, and that the existing part time post of Housing Officer (Social Housing Fraud) be made both permanent and full time.

(X) Response to CLG consultation paper on "Reinvigorating the right to buy and one for one replacement" - In late December 2011, the Department for Communities and Local Government issued a consultation paper on "Reinvigorating the Right to Buy and one for one replacement". The Government proposed to raise the upper limit on the Right to Buy discount entitlement to £50,000 throughout England. (As a footnote the Government consultation decided the discount entitlement will rise to £75,000 with effect from April 2nd 2012). This more than tripled the cap currently applied in most of London and provided a substantial increase in the rest of England. However, for the East of England, it only amounted to an increase of £16,000 from the current maximum of £34,000.

The Panel considered a long and complicated consultation document and on the whole endorsed the officers draft response.

Case Study: Fire Safety in Flat Blocks

In January 2010 the then Housing Portfolio Holder agreed a policy on fire safety in flat blocks. The policy stated that personal belongings, fitted or loose lay carpets, mats and any other items stored in common parts of flats should be prohibited and removed, with the exception of the following concessions agreed with Essex Fire and Rescue Service:

- Pictures hung on the wall, provided that they did not contain glass in the frame;
- Mats placed outside front doors, provided these were rubber backed and had a chamfered edge;
- Curtains at windows that were flame retardant; and
- Non-flammable items which were aesthetically pleasing stored in recesses away from any means of escape routes, and not on window cills.

Following the introduction of this policy, a small number of residents requested further review as they felt the policy was too risk averse and prevented them from making their flat blocks feel more homely.

In January 2011, the then Housing Portfolio Holder temporarily suspended the policy relating only to carpets in the common parts until such time as a further feasibility study took place.

Correspondence with the Housing Minister made reference to the Local Government Improvement and Development which developed fire safety guidance for residential buildings. The Local Government Group's fire safety advised that the common parts should be free of all sources of ignition and material that could help spread flames. Smoke detectors should not be installed in common parts.

The Local Government Group's fire safety guidance advised that:

- Very few deaths occurred from fires in a neighbour's flat or the common part;
- This was due to fire separation walls;
- Common parts should therefore be free of all sources of ignition and material that could help spread flames;
- Nearly all deaths occurred in flats in which the fire started; and
- It was strongly discouraged that smoke detectors should be installed in common parts as this led to false alarms, chaotic evacuation and possible complacency from residents.

Additional guidance had been sought from Due Diligence, a specialist company employed by the Council to undertake fire risk assessments. They advised that there should be a clear policy involving regular monitoring and that carpets should be professionally fitted using non-flammable adhesives, and inspected on a regular basis for wear and tear.

The Environment and Street Scene Portfolio Holder made reference to a letter he had received from the Essex Fire and Rescue Service which suggested that it was acceptable to allow carpets in common parts, subject to a satisfactory risk assessment. In light of this, the Housing Scrutiny Standing Panel asked that their report be deferred until the contents of that letter could be reviewed. Upon receipt of the letter by officers, a further letter was sent to the Essex Fire and Rescue Service seeking clarification on a number of points, particularly on examples of where it may be acceptable for carpets to be installed in common parts.

A response to this letter from officers had been received and all the correspondence was considered by the Scrutiny Panel.

Feasibility Study – Smoke Alarms

In line with the decision of the previous Housing Portfolio Holder in January 2011, a feasibility study had been carried out into the cost of providing mains wired smoke detectors in individual flats, maisonettes and common parts to flat blocks. This decision would sit favourably with the guidance from the Local Government Forum and Due Diligence if it did not include alarms in the common parts.



As part of the investigations into what other local authorities were doing, officers had found that virtually all local authorities and housing associations were adopting the 200 tolerance approach, whereby the common parts were to remain as sterile environments. The Panel recommended that the Council undertook a programme of installing smoke detectors in all properties, funded from resources arising from HRA Self Financing.

A report was referred to the Cabinet at its meeting in March 2012 for their consideration and agreed.

However, this decision was subsequently called-in by five members. They generally agreed with the thrust of the decision but not with all the aspects of it. They noted that no distinction had been made between two and three storey blocks of flats and that some of the conditions were too onerous to comply with. They also wanted the Council to remove, free of charge, any non-complying (fire risk) carpets.

This call-in was referred to the Housing Scrutiny Standing Panel for their consideration as they had previously discussed the matter in detail.

The Housing Scrutiny Standing Panel considered the call-in at a special meeting held on 31 May 2012, where they fully debated the substance of the call-in. In the end, the Panel confirmed the original decision of the Cabinet.

2. CONSTITUTION AND MEMBER SERVICES STANDING PANEL

The Constitution and Member Services Standing Panel consisted of the following members:

Councillor D Stallan (Chairman)
Councillor D Johnson (Vice Chairman)
Councillors R Cohen, J Markham, M McEwen, R Morgan, J Philip, B Rolfe, M Sartin, S Watson and J H Whitehouse.

The Lead Officer was Ian Willett, Assistant to the Chief Executive.

Terms of Reference

To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee and to report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

The Panel scrutinised a number of issues over the last year, which included:

(i) Referendum and Elections (May 2011) – In June 2001 the Panel considered a report on the recent local elections and referendum for the voting system for United Kingdom Parliamentary Elections.

The Referendum was held under the framework provided by the Political Parties, Elections and Referendum Act 2000 (PPERA). It was therefore conducted under a different management and accountability structure requiring a Chief Counting Officer, responsible for certifying the overall result and giving specific directions to Counting Officers relating to the discharge of their functions in the Referendum.



The Panel noted the number of postal votes issued and the number of spoilt ballot papers. They noted the verification and count procedures and the liaison with the police over polling station visits, which was very good again this year. They also noted the comments and feedback from the Election Agents and Candidates.

All the issues raised would be taken into account in relation to the planning and running of future elections.

(ii) Substitutions at Meetings - Currently a substitution would be notified to Democratic Services by 10.00a.m on the day of the meeting; the point of contact being a single member for each group. The Constitution stipulated that only the Deputy Group Leader could undertake this role. The Panel considered whether there was scope for widening this role to include the Group Deputy Leader and a political group whip or other delegated individual. A request had been made to change the

10.00a.m deadline for notification to 4.00p.m on the day of the meeting, providing groups with greater flexibility when arranging substitutions.

The Panel agreed to recommend to amend the deadline for notifying substitutes from “not later than 10.00a.m.” to “not later than 30 minutes before the commencement of the meeting concerned.” When this went to the Overview and Scrutiny Committee this was amended to one hour before the meeting.

(iii) Audit and Governance Committee - Membership - This had originated from the Independent Members of the Audit and Governance Committee (AGC) and the officers on the Corporate Governance Group. There was concern that Deputy Portfolio Holders should not be members of the Audit and Governance Committee as their conflict of interest may be construed as prejudicial.

The Code of Conduct imposed restrictions on a member being directly involved in reviewing decisions with which they were previously involved. The AGC was not involved in decision making but reviewed and sought assurance that proper processes were fit for purpose.

The Panel recommended that Deputy Portfolio Holders be allowed to remain as members, subject to their declaration of any prejudicial interests relating to Cabinet business and specifically excluded the Finance Deputy.

(iv) Statutory Review of Polling Stations - The Panel received a report regarding the Review of Polling Districts, Polling Places and Polling Stations. The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed by the end of 2011.



Authorities must seek to ensure that all of the electors in the constituency have such reasonable facilities for voting as were practicable in the circumstances; and seek to ensure that so far as was reasonable and practicable, the polling places for which they were reasonable were accessible to all electors, including those who were disabled.

The Panel approved the proposals for polling districts and places as set out.

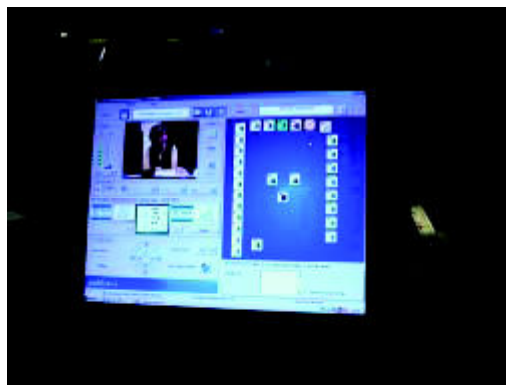
(v) Report on Webcasting - The Panel received a scoping report regarding the webcasting review. The report provided information about the contract and the Council's webcasting activities.

The Council had been webcasting its meetings and events since 2006. The initial period was funded by a central government technology grant called “Implementing Electronic Government” or IEG grant. Since that time over 300 webcasts have been recorded. The District Council was acknowledged to be one of the most effective at webcasting in the country.

The Council currently had a contract with Public-I Limited for providing leased equipment, an integrated Content Management System, monitored webcasts, maintenance and webcast archive hosting and streaming. The contract started on 1 April 2011, would end on 31 March 2015.

The average annual number of viewers was around 20,000. Despite trying a number of different approaches the level of live viewers had remained at between 7 – 10% of the total viewing level. It was very apparent that there was a direct relationship between District Council promotion of a webcast and the level of viewing. Active promotion of a recent visit by the police to an Overview and Scrutiny Committee meant that 189 people tuned in live to watch.

The Council received requests from the public and professionals for copies of webcasts; this was normally in support of a planning appeal. The view had been taken by officers that the level of income that could be generated by making a reasonable charge for providing copies was low and went against the presumption of openness that webcasting implied. Additionally webcast copies had been effectively used in Standards Committee complaints against the Council and in assisting other services in providing background for appeals.



(vi) Planning/Covenants - Council Responsibilities - The Overview and Scrutiny Committee asked in April 2010 for a report to be submitted to this Panel on the implications of this issue. In recent discussions within the Council, this issue had arisen in connection with covenants on land but would also be relevant to the Council's general role as landowner, particularly where the Council sought to realise property assets. One of the cases also raised the issue of the Council's dual roles of planning and housing authority. Similar issues have arisen in regard to its licensing functions.

With covenants and other property matters, the route to enforcement and challenge to decisions taken by the Council as landowner was through the Lands Tribunal and/or the courts. Such actions were always linked to interests in the land and remedies included injunctions and damages.

Local authorities were unusual in that property ownership and regulatory responsibilities existed within the same organisation. For Councillors this created difficulties in terms of separating these roles. For Cabinet members advice in the Planning Protocol stated that involvement in decisions which resulted in planning applications should be considered a prejudicial interest so far as the planning decision was concerned. This was because there would be a clear connection between the outcome of a planning application and the Cabinet decision thereby raising concerns about fettered discretions.

(vii) Review of Member's Dispatch Arrangements - The Panel had asked for a review on member despatch arrangements. Agendas, minutes and similar documents were co-ordinated by Democratic Services Team. All directorates were involved in producing reports destined for member consideration. Printed copies of agendas were produced in the Reprographics Section and despatched by the Administration Section. They also noted that Legal requirements shaped the despatch arrangements.

Despatch of paper copies of agenda took place on Tuesdays and Fridays and provided five clear days notice for meetings held in the early part of the second week

after despatch. No business may be transacted at a meeting if the five clear days' notice had not been given.

The preference for the Corporate Support Services would be for a posted despatch to members on Tuesdays and messenger delivery on Fridays if messenger service costs were reduced. This would contribute to a cost saving of £3,000 (DDF) to next year's budget.

A new system was being developed by Modern.Gov, the District Council's Committee Management System providers, by which agenda was put onto an Apple device ready for members to bring to meetings. It was possible to annotate documents with notes taken by members at the meetings. It had the potential to replace the traditional committee despatch arrangements. It did have implications in terms of implementation, particularly funding, legal assessment of the LGA72, and technology aspects in terms of supply points around the Civic Offices.

(viii) Housing Appeals and Review Panel - The current order of business for consideration of cases by the Housing Appeals and Review Panel provided for the applicant/appellant to present their case and answer questions first followed by the Housing Officer presenting their case and answering questions. Whilst this followed the order of most appeal proceedings it was considered that it was not relevant to this Panel. It was felt that applicants/appellants were put at a disadvantage when presenting their cases through being overwhelmed at facing a panel of members in a formal setting.

The Panel agreed a change in the order of proceedings, with the option of the Housing Officer presenting his/her case first.

The Panel also noted that since May 2010, the Panel had considered nine appeals about the banding of an applicant including five appeals since August 2011. In all cases the Panel had upheld the officer's decision and dismissed the appeal.

In the light of this the Panel recommended that such appeals should no longer come within the terms of reference of the Housing Appeals and Review Panel and that the right of appeal should end with one of the Assistant Directors of Housing.

Case Study: Audit and Governance Committee Membership

On 27 July 2011 the Panel discussed a report regarding the Audit and Governance Committee Membership. Independent members of the Committee and officers of the Corporate Governance Group felt that Deputy Portfolio Holders should not be members of the Committee as they may have a prejudicial interest. It was noted that the Committee comprised five members, three Councillors and two Co-Opted Members.

It was advised that the three Councillors should not include any Cabinet Member, member of Cabinet Committees, and any Panel appointed by the Overview and Scrutiny Committee responsible for reviewing finances.

Since the establishment of the Committee, Deputy Portfolio Holders had been created and the Committee's Terms of Reference made no mention of whether these deputies could be members.

The Deputy Portfolio Holders functions are as follows:

- (1) Support the Cabinet members in their portfolios.
- (2) Assist members with succession planning by giving deputies experience of Cabinet work.
- (3) Functions not decision making.
- (4) They could not vote at Cabinet meetings, Cabinet Committees or sign Portfolio Holder Decisions.
- (5) In the absence of a Portfolio Holder, their work would be allocated to another Cabinet member.
- (6) They would assist with preparing reports or Portfolio Holder Decisions.

The Audit and Governance Committee was not involved in decision making, but reviewed and sought assurance that proper processes were fit for purpose.

Members noted that there was a bar on members sitting on both the Audit and Governance Committee and the Finance and Performance Management Scrutiny Standing Panel.

The views of the Council's external auditors had been obtained. The Panel commented as follows:

- there was no current legislation relating to audit committees;
- the CIPFA Guide stated in respect of independence: "To be effective the audit committee needed to be independent from executive and scrutiny." It could be "compromised by too much cross-membership";
- it was highly preferable that DPHs should not be members of the AGC;
- there should be rules about declarations of interest; and
- the Deputy Portfolio Holder title was misleading, Portfolio Holder Assistant was preferable.

Some members felt that the main issue regarding DPHs sitting on AGC was public perception. Members could attend any meetings to give comments, but it was difficult demonstrating independence for a DPH.

The Panel supported allowing Deputy Portfolio Holders to remain as members, but they should be subject to declarations of prejudicial interests relating to Cabinet business and to specifically exclude the Finance Deputy.

3. FINANCE AND PERFORMANCE MANAGEMENT STANDING PANEL

The Finance and Performance Management Scrutiny Panel consisted of the following Members:

Councillor D Jacobs (Chairman)
Councillor G Waller (Vice Chairman)
Councillors K Angold-Stephens, R Bassett, K Chana, R Cohen, J Hart, P Keska, S Murray, S Packford and W Pryor.

The Lead Officer was Derek Macnab, Deputy Chief Executive.

Terms of Reference

Performance Management

1. To review statutory and local performance indicator outturns for the previous year at the commencement of each municipal year, and to determine the following on an annual basis:
 - (a) A basket of 'Key' Performance Indicators (KPIs) important to the Council's core business and corporate priorities; and
 - (b) The monitoring frequency of the KPIs identified by the Panel for the year;
2. To monitor performance against the adopted KPIs throughout the year; and to make recommendations for corrective action in relation to poorly performing indicators;

Public Consultation

3. To develop arrangements to directly engage the community in commenting on and shaping the future direction of services to make them more responsive to local needs, including the development of proposals for effective consultation through an annual community conference;
4. To annually review the consultation exercises undertaken by the council over the previous year.

Finance

5. To consider the draft budgets for each portfolio and in so doing to evaluate and rank proposals for either enhancing or reducing services. Members will need to ensure consistency between wider policy objectives and financial demands.
6. To consider financial monitoring reports on key areas of income and expenditure for each portfolio.

ICT

7. To monitor and review progress on the implementation of all major ICT systems and to review the Web-Casting System.

Value for Money

8. To consider the annual Value for Money Analysis, and to identify any areas where further detailed analysis may be required to be undertaken by a Task and Finish Panel during the year.

Essex Local Area Agreement

9. To monitor performance against the performance indicators contained within the second Essex Local Area Agreement, that the Council 'has regard to'; and to make recommendations for corrective action in relation to poorly performing indicators.

Equality and Diversity

10. To undertake an annual review of progress towards the implementation of the Council's Race Equality, Gender Equality, and Disability Equality Schemes, and performance in relation to other equality and diversity issues.

The Panel scrutinised a number of important issues over the last year, which included:

(i) Measurement of Avoidable Contact – Outturn 2010/11 Exercise and Future Work– The Panel received an outturn report on the results of the avoidable contact exercise for 2010/11. They noted progress against the action plan developed for the year, which also indicated that there were areas of customer service that could benefit from additional work, particularly around e-mail spam, signposting and the use of outlying offices. The Panel considered that this work would be taken forward by a new approach to improving customer services rather than the continuation of the avoidable contact process, given the Council's other current priorities, so as to enable a broader view of customer service needs to be undertaken. As a result the Panel agreed that further work in respect of avoidable contact should be ceased, as this would not necessarily represent an effective use of the limited resources likely to be available in the future.

(ii) Key Performance Indicators – number of appeals allowed against Refusal of Planning Applications (LPI 45) - It had been noted at the March 2011 meeting of this Panel that performance indicator LPI 45 was not being achieved, indeed, it had not been since 2006. Officers had reported that was partly because of the high number of planning appeals being allowed by the Planning Inspectorate in those cases where the Directorate of Planning's recommendation were being reversed and refused at planning sub-committees.



It had been agreed that the indicator should apply to all planning application appeal types and that LPI 45 should be split into two performances; one for Planning committees reversals (where the relevant Planning committee disagreed with and overturned the planning officer's recommendation) and secondly, decisions primarily made under delegated powers. However, there was concern raised over balanced decisions; would it be unreasonable to have a target set for this?

The Panel considered it was reasonable for officers to have a target set at 20% and for members who reversed an officer's recommendation, to have a 50% target.

(iii) Key Performance Indicators 2010/11 – Outturn – This report was on the Council's outturn performance for 2010/11 in relation to the Key Performance Indicators (KPI) adopted for the year. The Panel noted that 62.5% of the performance targets had been achieved for 2010/11. They also noted that the government had withdrawn eight national indicators and these had been removed from the reporting requirements for 2010/11, bringing the reportable indicator total down to forty KPI for the year.



Members were advised that the Finance and Performance Management Cabinet Committee had recommended that the corporate target of 70% set for the achievement of year-on-year improvement against the KPIs for 2010/11 be maintained for 2011/12.

(iv) Corporate Strategy Tool 2011/12 - The Panel received a real time demonstration of the Council's newly created interactive 'Corporate Strategy Tool' located on the Council's website. The tool will enable all users of the Council's website to explore the linkages between the Council's aims, objectives and performance, via the Key Performance Indicators, as well as examining the current levels of performance.

The tool was designed to help users to understand the links and relationships between the authority's aims, objectives and indicators and how these related to the Sustainable Community Strategy, the Corporate Plan and the Council's service directorates and portfolios. The tool could be used to view the most up-to-date quarterly performance reports for each of the KPIs and to scrutinise indicator definitions and current Business Plan for each directorate and service area.

(v) Equality and Diversity – Progress Report 2010/11 – The Panel noted a report on the Council's progress towards the achievement of its equality duties and performance in relation to the Equality Framework for Local Government for 2010/11.



Members also received details of progress in relation to a range of equality initiatives undertaken over the last year and the work of the Corporate Equality Working Group to develop and implement the Council's

approach to equality; and the Staff Equality Group established to provide an opportunity for staff across the authority to engage with the Council in relation to equality issues.

(vi) Sick Absences (Quarterly Monitoring) - The Panel received the sick absence report for 2010/11. The Panel noted that two thirds of staff had no sick absences at all during the last year and that the Council had met and surpassed its target of 8 days by achieving a figure of 7.85 days. A target of 7.75 days had been

set for the sickness absence Key Performance Indicator (KPI) for the current year (2011/12).

The Panel would be updated on the Council's sick record at each quarter throughout the year.

(vii) Consultation Plan 2011/12 and Register 2010/11 - The Consultation Plan for 2011/12 set out the issues on which individual services would be consulting or engaging residents or customers during the year. It set out the overall objective for each consultation exercise, how each exercise would be undertaken and the methods to be used.

The Consultation Register incorporated the results of consultation exercises undertaken during the preceding twelve months and gave details as to the purpose, start and finish dates, and the service area carrying out the surveys.

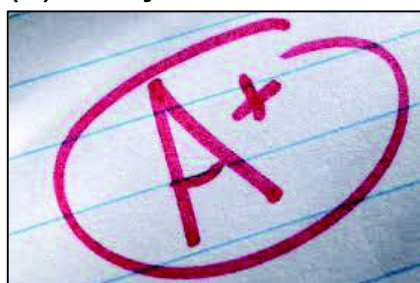


The Panel acknowledged that many of the consultations exercises undertaken were statutory. They noted that a lot of directorates were saving money by carrying them out in house and not employing consultants. Sometimes the costs were shared with other authorities. The Consultation Plan and Register would be updated to incorporate an indication indicating if the consultation was a statutory one or a voluntary one.

The report noted that a lot of the younger population was using the new social media, such as 'Facebook' and it was important to be able to access new information streams in the future. The Panel although supportive, were concerned that use of social media may lead to information being distorted as it was spread via the social networking sites; some Councils had to monitor their 'Facebook' sites and this was an extra drain on resources.

(viii) Provisional Capital Outturn 2010/11 and Provisional Revenue Outturn 2010/11 – The Panel received reports on Provisional Capital Outturn 2010/11, setting out the Council's capital programme for 2010/11 in terms of expenditure and financing and compared the actual outturn figures with the revised estimates; and also the Provisional Revenue Outturn for 2010/11. This provided an overall summary of the revenue outturn for the financial year 2010/11.

(ix) Key Performance Indicators (Quarterly Monitoring) – The Panel received quarterly updates on the Council's performance against its adopted Key Performance Indicators (KPI). Members were reminded that a target had been set for at least 70% of the KPIs to achieve target performance by the end of the year.



The Panel noted that the Council's new interactive Corporate Strategy Guide had been published online and that the opportunity had been taken to review the descriptions and associated definition for each KPI, in order to present this information to members and visitors to the website in a more simple and transparent way.

(x) Value for Money and Data Quality Strategies 2010/11 – 2012/13 – Review

– This report was on the progress made against the Council's Value for Money and Data Quality Strategies for 2010/11. The Value for Money Strategy set out the Council's overall approach to ensuring the provision of value for money services, and the Data Quality Strategy sets out the Council's management arrangements to secure the quality of the data used to manage its functions and services. The Strategies built upon previous work to address issues arising from former assessment and inspection frameworks, and to highlighted areas of best practice.

It was noted that, notwithstanding the cessation of former assessment and inspection frameworks, the Council's external auditors were still required to issue an annual opinion on the robustness of the authority's approach to securing Value for Money.



The Strategies assigned responsibility for Value for Money and Data Quality across the Council, and incorporated action plans, progress against which was monitored by Management Board and the Finance and Performance Management Cabinet Committee and Scrutiny Panel on an annual basis.

(xi) Government Consultation – Localising Support for Local Council Tax in England

- The Department for Communities and Local Government (DCLG) issued a consultation paper on the proposals to replace Council Tax Benefits in England with a system of 'localised support', administered by local authorities from 2013.



Council Tax would not form part of the Universal Credit, but would remain the responsibility of local authorities. They would need to reduce expenditure on the replacement scheme by 10%. The Government believed that the new system would simplify the current complex system of criteria and allowances, establish stronger incentives for councils to get people back into work and save the taxpayer up to £480 million a year.

The Panel noted that the timescales for implementing a local support scheme for Council Tax did not appear to be achievable. The primary legislation would not be passed until the summer of 2012, following which, any scheme would need to be devised (locally) and publicised; IT systems developed and everything to be in place before February 2013 when annual Council Tax billing took place. The Council's software developer had said that this deadline could not be met.

The Panel also noted that with every local authority devising their own scheme there was potential for a 'post code' lottery. The Essex Benefits Managers Group had discussed the possibility of Essex authorities working in partnership, however, due to different demographics within the County, this would be hard to achieve.

(xii) Quarterly Financial Monitoring - These reports provided a comparison between the original estimate for the quarter just ended and the actual expenditure or income as applicable.

(xiii) Epping Forest District Council Website - The Panel received a demonstration of the new Council's website, currently in development. The current website had been developed over the last ten years using the Punch Content

Management System, costing the council approximately £16,000 per annum to run, including support. This system has now run its course and officers looked for a more powerful, flexible alternative. They found 'Joomla' which was easier and more efficient to use and would represent a significant potential, long term financial saving to the council. It was a free open source Content Management System, and officers had identified savings of £15,000 pa once it went live, with the possibility of more savings to come.

So far officers thought that the new website had only cost the Council €59; and it would have no ongoing costs. They were aiming for it to be user friendly, with any user having to use a maximum of three clicks to get to any page on the website, ideally only two; the present system can take up to nine clicks.

(xiv) Fees and Charges – The Panel received the annual report on the proposed fees and charges for the coming year as part of the annual budget process. This report gave members an opportunity to comment the proposed fees and charges for 2012/13. A proposed general increase of 5% was recommended where possible, but it was noted that in a number of areas this may not be appropriate; also, it was noted that some fees were set by the Government.



Case Study – Epping Forest District Council Website

The Panel received a demonstration of the Council's new website, which was currently in development. The current website had been developed over the last ten years using the Punch Content Management System, costing the council approximately £16,000 per annum to run, including support. This system had now run its course and officers looked for a more powerful, flexible alternative.

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The Senior Systems Support Officer took the Panel through a demonstration of the new site, as it would look on line when up and running. The new systems would have one big bold image on the home page making it more user friendly, suitable for the casual browser, with rotating headlines. Officers were also looking to put in advertising space on the pages. The home page would report the Council news, and have a Leaders blog. News feeds would be tailored to each Directorate and they were also looking at the possibility of putting Town/Parish Council pages on the site, linking in with 'Twitter'. Social media links would also be on the menu bar. Using free software from 'Joomla' officers would be able upload council's posts onto these sites. So far officers thought that the new website had only cost the Council €59; and it would have no ongoing costs. They were aiming for it to be user friendly, with any user having to use a maximum of three clicks to get to any page on the website, ideally only two; the present system can take up to nine clicks.

Officers were also looking to integrate the currently separate systems such as the Planning pages, into the main website and make it more efficient.

Residents could pay their Council Tax on line, but there was some vulnerability in using open source software. It would be safe to use as it would be linked to the

Capita site for transactions as they are now, and would not use open source software for payments.

The Panel asked if other things could be monitored such as the number of page loads and response time as monitoring page hits would be valuable over time as well as tracking which pages people went to most often etc.

The Public Relations and Marketing Officer had looked at the performance indicators in place and asked that they continue with the current performance indicator measuring user satisfaction levels (KPI 04). But, would like to adapt it slightly to not only measure the people who were 'very satisfied' but also the 'OKs', the 'quite satisfied' as well as the 'very satisfied' as this would give a better statistical database. They would also like to set a satisfaction level of 80%, which would be well above the current national average.

The Panel thought that 80% was a very high level to live up to especially in the first year of a new site. It would be more sensible to set the target at 70% for the first year and then revisit it next year, when they could set a target for improvement.



4. SAFER CLEANER GREENER STANDING PANEL

The Safer, Cleaner Greener Standing Panel consisted of the following members:

Councillor M Sartin (Chairman)
Councillor C Pond (Vice Chairman)
Councillors K Avey, W Breare-Hall, T Cochrane, Y Knight, A Mitchell (MBE), G Mohindra, P Spencer and E Webster

The Lead officer was John Gilbert, Director of Environment and Street Scene.

Terms of Reference

1. To approve and keep under review the “Safer, Cleaner, Greener” initiative development programme.

(Note: this development programme will encompass the three main issues and will therefore include matters such as:
 - (i) environmental enforcement activity*
 - (ii) safer communities’ activities*
 - (iii) waste management activities (in addition to WMPB information))*
2. To keep under review the activity and decisions of the Waste Partnership Member Board and the Inter Authority Member Working Group.
3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Nottingham Declaration “action plan” and the Council’s progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council’s Climate Change Strategy from the Green Working Group
5. (Subject to Cabinet approval of the Group) to receive and review the reports of the Bobbingworth Former Landfill Site Local Liaison Group.
6. To act as the Council’s Crime and Disorder Scrutiny Committee and to keep under review the activities of the Epping Forest Safer Communities Partnership as a whole or any of the individual partners which make up the partnership.
 - (a) That at least two meetings a year be dedicated as Community Safety Committee meetings.

The Panel scrutinised a number of important issues over the last year, which included:

- (i) **Regular Updating Reports** – The Panel received regular updating reports during the course of the year. They received quarterly updates on the Safer Cleaner Greener Action Plan and six monthly reports on the CCTV Action Plan. They also

received an updating report on the Council's Green and Carbon Reduction Measures, the data being fed into a calculator tool provided by the Department of Energy and Climate Change to obtain carbon emissions in kilograms.

(ii) Minutes of the Waste Management Partnership Board - The Panel received regular sets of minutes from recent Waste Management Partnership Board meetings. They also received the minutes from the Council's Green Corporate Working Party.

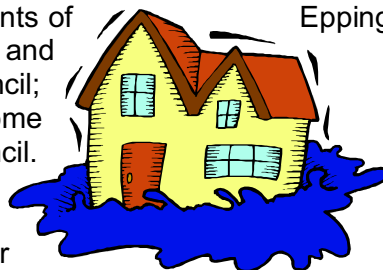
(iii) Strategic Intelligence Assessment - The Panel were taken through the six month 'refresh' of the annual Strategic Intelligence Assessment (SIA). By law the SIA has to be 'refreshed' annually; the statistical period would be from 1 October to 30 September each year. This six month 'refresh' period was from 1 October to 30 April and was taken to capture any emerging problems.



The SIA identifies the key crime and disorder priorities based on available data from relevant partner organisations. The assessment identifies the top 5 or 6 priorities, using a priority selection matrix, which are then subject to further, in depth analysis which looks at the problem triangle of Offender, Location and Victim. From this analysis is produced a partnership plan with specific actions to address the identified priorities.

(iv) Government Consultation - Environment Agency – River Roding Catchment - In October 2011 the Panel considered the Council's response to the Environment Agency Consultation on managing flood risk in the Roding catchment area. This had previously gone to a special meeting of the Planning Services Standing Panel in September 2011. Since that meeting, EFDC officers had met with Environment Agency (EA) officers and had put the concerns raised by the Planning Services Panel to them. The EA officers were able to answer some of the questions and although a number of concerns still remained, it was now felt that there was sufficient information to enable a formal response to be submitted.

The Panel considered the report setting out the discussions and the basis for the Council's formal objection to the proposals on the grounds of the potentially detrimental effects, in terms of flood risk on the residents of Epping Forest adjacent to the floodplain; individual properties and areas of land including the land owned by the Council; and ordinary watercourses within the district. Some streams were not under the EA but the District Council. This would have resourcing implications for the Council, where they are the riparian owner of that land. Any flooding implication would also have wider implications for planning.



The Panel noted that the EA had said that only 15 properties were in increased danger of flooding; the remainder were not and their chances remained the same. Cripsey Brook and Loughton Brook are to continue to be maintained. The Panel urged the Parish Council to make their views known to the EA.

The Panel agreed that the Council should object to the proposed strategy, due to the potentially detrimental effects, in terms of flood risks on:

- the residents of Epping Forest adjacent to the floodplains;

- individual properties and areas of land, including land owned by the Council; and
- ordinary watercourses within the District.

Their formal response to the Environment Agency Consultation incorporated comments on:

- The cost to private land owners (and appropriate help by the EA) of their maintenance of the river;
- the impact of the Shonks Mill Flood Storage Area not being built;
- asking for some of the £150k savings made being passed on to the District to help in their maintenance work;
- noting that Redbridge would benefit while this District would not; and
- the effects of the flood zones shifting in the future.

(v) Update on Enforcement Activities - In January 2012 the Panel received an



update on Enforcement Activities for the period 1 April 2011 to 30 September 2011. There were 630 recorded incidents of fly-tipping reported to the Council. Any incidents that had some evidence to enable a trace to be made were passed on to the Environment and Neighbourhoods Team to investigate; 382 were investigated. Four prosecutions for fly-tipping incidents were concluded in this period and one for related waste enforcement work. Twenty two penalty notices were offered for littering offences and four pre-arranged operations to target littering offenders were carried out on the High Street, Ongar; Queens Road, Buckhurst Hill; Nazeingbury Parade and Larsens Recreation Ground, Honey Lane, Waltham Abbey.

The Panel were informed that the Council had achieved a grade 1 on their KPI on fly-tipping. This was a hard one to achieve but was a very good position to be in, showing that they were having a positive effect on fly-tipping in the district.

(vi) Essex Waste Plan – Consultation - This authority had been a full and active

member of the Essex Waste Partnership since its inception in 2005. Since then recycling performance across the County had increased significantly, with a countywide performance of around 50% in 2010/11. It still remained the case that the County was reliant upon landfill for disposal of non-recyclable or non-reusable waste. Because of this in 2010/11 the County paid over £16.7 million in landfill tax, with this set to rise to £19.4 million in 2011/12 if landfill volumes remained the same. Leaving cost to one side it was also the case that landfill void space was diminishing. Therefore, it was imperative that alternative disposal methodologies were implemented.



The aim of the county was to achieve 60% recycling by 2020; to favour anaerobic digestion (AD) for organic waste, with the resulting gases used for

electricity; to favour mechanical and biological treatment (MBT) for residual waste; to continue to use windrow composting for garden waste; and to continue to use in-vessel composting for combined garden and food waste.

It was noted that whilst the vast majority of the answers to the consultation questions did not relate directly to this Council in land use terms, they could and would have an impact on the way in which we would deliver our waste management services in the future.

(vii) Green and Carbon Reduction Measures - This came out of the Council's signing up to the Nottingham Declaration. It was noted that the Council had taken part in a consultation on the new Nottingham Declaration during August and September 2011. Following this consultation, the Nottingham Declaration Partnership and the Local Government Association would be working together to launch a new initiative called "Climate Local – a local commitment to action on climate change".



It was likely that the new initiative would see local authorities signing up to a minimum list of common targets, with a number of further targets that councils would have the option of taking on in addition.

(viii) Essex Police Blueprint - The Panel welcomed Chief Superintendent C. O'Malley and Superintendent A. Coombs, from Essex Police. They were present to talk about the progress of the Essex Police reform programme resulting from the budget cuts which obliged the police to make £41million of savings over the next 4 years.

Essex Police at present had 3,500 police officers; over 350 Police Community Support officers and will soon have 600 special constables. They also have 877 vehicles travelling 15.8 million miles per annum and 112 operational buildings. There were 1.7 million residents in 730,000 households with 25,000 emergency calls handled per month.



They were already improving productivity, reducing costs, increasing availability and at the same time reducing the size of the force.

The force would be split into Operational Policing Commands with patrols being borderless rather than be geographically restricted. They would make the best use of new technology such as Mobile Data Tablets and the Automatic Resource Locations

System. A new Tactical Support Group capable of rapidly responding to demands across the force would also be setup.

(ix) Police and Crime Commissioner – County Councillor Anthony Jackson, the Chairman of the Essex Police Authority, spoke about the upcoming Police and Crime Commissioner (PCC) elections. He noted that this had not really been publicised as much as it should have been, and that most people knew very little about what the new commissioner would do.

The time line would be that on 15 October 2012 the election for the PCC would be declared. On 15 November 2012 the elections would be held and on midnight plus one minute, of 22 November, the new PCC would take office.

In many ways the PCC would have the same role as the police authorities they replaced. Their main responsibilities would be to secure an efficient and effective police force for their area; appoint a Chief Constable and hold them to account (and if necessary dismiss them); set the Police and Crime Objectives for their area; set an annual force budget and police precept; produce an annual report; co-operate with the criminal justice system in their area; and work with partners and fund community safety activity to tackle crime and disorder.

A large organisation would be put in the hands of one person, the new Commissioner, looking after 1.7 million people of Essex. The success of this would also depend on a lot of co-operation and good will from the forces.

(x) Defra Consultation on Waste Related Penalties - The government wanted to review waste related law on the premise that too many local authorities were unnecessarily penalising residents for what was seen as trivial offences.

The government had now come forward with its proposals for changing the law. It presented two main options:

- (1) the creation of mainly civil sanctions, but with the retention of some criminal sanctions; and
- (2) the removal of all criminal sanctions.

If option 2 was seen as the preferred way forward, then the questions were whether civil enforcement was sufficient to deal the problems which arose and whether it was practical and/or financially viable for councils to pursue civil debts.

It was thought important however, to ensure that the criminal powers which remained were fit for purpose and enabled councils to take action where appropriate.

Case Study: Essex Police Blueprint

The Panel received a presentation from Chief Superintendent C. O'Malley and Superintendent A. Coombs, from Essex Police at their February 2012 meeting. They talked about the progress of the Essex Police reform programme resulting from the budget cuts which obliged the police to make £41million of savings over the next 4 years.



Essex Police at present had 3,500 police officers; over 350 Police Community Support officers and will soon have 600 special constables. They also had 877 vehicles travelling 15.8 million miles per annum and 112 operational buildings (twice as many as Kent own). There were 1.7 million residents in 730,000 households with 25,000 emergency calls handled per month.

Essex Police were already improving productivity, reducing costs, increasing availability and at the same time reducing the size of the force.

They were moving away from their traditional model and towards the concept of 'Borderless' policing, which in practice meant that the nearest vehicle would be sent to an incident and not as before, when it would be the nearest vehicle belonging to the area that the incident took place in. This would be co-ordinated by response hubs.

They had reduced senior management by 25%, but were having difficulty in targeting middle management as they had legal obligations in that only certain ranks could authorise certain things. They had also reduced the number of Chief Superintendents to five.

There was to be an increase in designated Neighbourhood Policing Officers and a focus on anti-social behaviour and non-emergency, no crime incidents as well as in depth public engagement. There would also be additional support from a larger Neighbourhood Team to deal with the demand. Every area would have a Community Safety and Partnership Unit to be led by a designated Inspector and Sergeant. The unit was to be based at Epping Police Station with satellite offices at Brentwood, Ongar and Loughton. These units would bring Crime Reduction Officers, Essex Watch Administrators together with Local Licensing Officers making for multi-agency working.



In order to publicise the new arrangements they had spoken to several newspapers and all MPs in the county. However, it was noted that the local press did tend to play up the bad news such as the reduction of police officers over Essex. It would be better to get information, not from the local press, but from the appropriate websites or local posters.

The remit of the officers would change; the new 'Investigative Command' would handle the paperwork enabling the local PCs to stay longer out on patrol. With the new technology they could also work out how much time an officer was spending at their locations.

Essex Police were also reviewing and reforming their estate portfolio. They had a lot of property and were actively selling surplus buildings, enabling them to reduce their annual revenue costs for maintenance of the Force Estate (currently £8 million).

The Essex Police Force had 48 stations, including front counters and Neighbourhood Policing bases. There were also 44 other police buildings and 20 buildings within their HQ complex. There were 112 properties in total in addition to 12 partner bases. They were looking to close front counters but not necessarily the buildings they were in. In this district the front counter for Epping would be open from 12.00 to 6.00pm Monday to Saturday and the one in Loughton would be open at the same times. The ones in Waltham Abbey and Ongar were now closed. They had done a survey on public contact and found out that most people would phone and not visit a station. They were trying to future proof the selling of the buildings by looking at areas of expansion and keeping the building in those areas for future use. This would be reviewed in 2013/14.

The Waltham Abbey station had been assessed for partnership sharing opportunities; however there would be no future planning on this until post Olympics 2012, due to the specialist Airwave Mast provision from this site.

The force would be split into Operational Policing Commands with patrols being borderless rather than be geographically restricted. They would make the best use of new technology such as Mobile Data Tablets and the Automatic Resource Locations System and, a new Tactical Support Group capable of rapidly responding to demands across the force would also be setup.

5. PLANNING SERVICES STANDING PANEL

The Planning Services Panel consisted of the following members:

Councillor H Ulkun (Chairman)

Councillor A Watts (Vice Chairman)

Councillors A Boyce, C Finn, P Keska, Y Knight, A Lion, J Markham, B Sandler and Ms J Sutcliffe.

The Lead officer was John Preston, Director of Planning and Economic Development.

Terms of Reference

1. To consider in detail the provision of Value for Money within the following Planning Services in focusing specifically on:
 - Development Control (including Appeals)
 - Forward Planning
 - Building Control
 - Enforcement
 - Administration and Customer Support
 - Economic Development
 - Environment Team
2. To gather evidence and information in relation to these functions through the receipt of:
 - performance monitoring documents,
 - Best Value Review of Planning Services (updated version)
 - benchmarking exercises,
 - consultation with Planning Committee Members, customers and IT Suppliers.
3. To review the measures taken to improve performance within the directorate.
4. To keep an overview of work associated with securing a sound New Local Development Framework; in particular how the core strategy will cater for the adequate delivery of infrastructure of all types, the limited rolling back of the Metropolitan Green Belt, the provision of affordable housing, and the maintenance of the settlement pattern elsewhere in the District.
5. To consider what changes are practical and desirable to Council policies concerning the Metropolitan Green Belt; including those concerning the extension of existing dwellings, and the reuse of redundant and other buildings; in particular, are further restrictions necessary (changes in policy required) to ensure that such developments are truly sustainable.
6. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;

7. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate.

The Panel scrutinised a number of important issues over the last year, which included:

(i) CLG Consultation - Planning for Traveller Sites - The Panel received a report regarding the Communities and Local Government (CLG) Consultation Planning for Traveller Sites.

The consultation, which ran for 12 weeks, from 13 April to 6 July 2011, was essentially about a draft Planning Policy Statement (PPS) (Planning for Traveller Sites) which was intended to replace Circulars on Planning for Gypsy and Traveller Caravan Sites, and Planning for Travelling Showpeople. There were 13 questions associated directly with the content of the PPS, and a further 15 specific questions related to the consultation stage impact assessment.

The Government had made plain its intentions to abolish Regional Spatial Strategies and all associated housing and Gypsy Roma Traveller (GRT) pitch targets. This would take place when the Localism Bill was enacted in 2012. The Government was also intending to replace all existing planning guidance with a National Planning Policy Framework in April 2012 and this draft PPS had been written with that in mind.

The responses were recommended to Council for final approval before being submitted to the Government.

(ii) Community Infrastructure Levy - The Community Infrastructure Levy it was anticipated to replace Section 106 planning obligations as a means of providing payment for the provision of infrastructure in a local area. The Community Infrastructure Levy (CIL) was a new financial charge which would entitle local planning authorities to charge on development taking place in their area. The money would be spent on local infrastructure.

After April 2014, if the Council wished to collect infrastructure charges or monies, it would formally adopt a CIL as this would be the only option available, and therefore collection through Section 106 legal agreements would no longer be possible. The CIL would include a charging schedule document prepared by the charging authority.

Monies raised under CIL could only be spent on "infrastructure," and it was for officers to determine what was to be infrastructure in the area, this allowed flexibility to include community and cultural facilities.

The charging authority could spend monies on infrastructure, but the charging authority could also pass receipts to other infrastructure providers, such as Essex County Council, Environment Agency and the Highways Agency. The authority could also forward funding to other bodies, including local councils and neighbourhood groups, but they must be locally "elected" bodies.

(iii) Environment Agency Consultation - Roding River Area - The Panel received a report regarding the Environment Agency Consultation on Managing Flood Risk in the River Roding Catchment also in attendance at the meeting were officers from the Environment Agency.



The Environment Agency (EA) was seeking opinion on its recommendations for managing flood risk in the River Roding catchment differently. Flooding was a natural process that could not be entirely controlled or prevented and the Roding catchment area had a long history of flooding, the most recent being in 2000 when more than 300

properties were affected in the Woodford area.

There were more than 2,000 residential and commercial properties potentially at risk in the southern part of the catchment. However, the EA's proposals would lead to 15 properties in the district being at greater risk of flooding. The EA justified this on the following basis:

- (a) the financial cost of continuing maintenance of the river was greater than repairing the damage caused by flooding; and
- (b) Slowing the water flow in the upper reaches of the catchment would reduce the risk of flooding to properties in the lower catchment, therefore a small number of properties were negatively affected to benefit the majority.

The EA hoped that some property or land owners would take responsibility for maintaining local flood defences. District Council officers believed that the EA should make appropriate financial contributions to help the owners affected by reduction in maintenance of the river.

Members expressed concern about the welfare of river wildlife as a result of de-silting. There was concern from the members present, that ending maintenance on the river would leave residents vulnerable to flooding. They felt that the EA's support for residents would fall short of their needs.

This item was referred on to the Safer Cleaner Greener Standing Panel for their further consideration of the environmental aspects associated with this draft report.

(iv) "Sustainable Framework for UK Aviation: Scoping Document" - Department of Transport Consultation Document - The Panel received a report regarding a Department for Transport (DfT) consultation document entitled "Developing a Sustainable Framework for UK Aviation – Scoping Document."

The DfT was consulting on this document because the previous Government's 2003 White Paper entitled "The Future of Air Transport" was considered out of date as it failed to give sufficient weight to the challenge of climate change. The consultation document before the panel was more a synthesis of points that the Government wished to make, the aim of the document was to define the debate as the Government developed their long term policy for UK aviation.



However, there were vague statements in the document relating to sustainability, without indicating which definition of sustainability was being used.

(v) Essex County Council (ECC) - Further Site Allocations Issues and Options Paper for Minerals Development – Essex County Council (ECC) was



responsible for preparing the County level Minerals and Waste Development Framework (MWDF). As part of this framework, ECC was working towards a new Minerals Development Document (MDD) replacing the existing Minerals Local Plan (1996). The MDD was required by the Government to plan for a steady and adequate supply of minerals in Essex to meet the County's current and future needs to 2028 identifying suitable sites

for mineral extraction, aggregate recycling, and mineral transportation.

As part of the Preferred Options, ECC invited consultees to suggest any other potential sites which had been overlooked. It was currently consulting on the five new site suggestions received.

(vi) New Draft National Policy Framework Consultation - A report regarding the Draft National Planning Policy Framework Consultation was considered in October.

The proposed National Planning Policy Framework (NPPF) involved the deletion of all but one of the current Planning Policy Statements (PPS), all of the current Planning Policy Guidance Notes (PPG), and a small number of circulars, replacing these with a much shorter single document. The overall intentions were to:



- (a) Consolidate and streamline national planning policy to reduce bureaucracy;
- (b) Promote sustainable economic growth while retaining important environmental and social objectives;
- (c) Empower local communities to do things their way instead of excessive control from Central Government; and
- (d) More “user friendly” and accessible, so that it was easier for members of the public to have a meaningful say in planning decisions.

Officers expressed concern that this major and complex change to national planning guidance was being put out for consultation through the main annual holiday period when some members and staff were likely to have been away for a number of weeks.

(vii) Local Planning regulations – Consultation - This consultation concerned the specific regulations which must be followed in order to achieve a sound local plan. It was stated that the intention behind amending these regulations was to

ensure that centralised bureaucracy was removed and decision making in planning was returned to local councils and communities.

The Localism Bill introduced a “Duty to Cooperate” in relation to planning of sustainable development. This duty applied to a broad list of organisations including local planning authorities, county councils and other bodies as prescribed by the regulations. The duty required that these organisations engage constructively, actively and on an ongoing basis in the preparation of development plan documents where they related to strategic matters. Concern remained over whether the resources were available within all of these organisations to engage effectively.

(viii) Review of Selected Controversial Planning Decisions - An outstanding matter in the Panel’s Work Programme had been to review a selection of controversial planning decisions. Members had selected three development sites, one from each of the Area Plans Sub-Committee areas, which were considered worthy of reviewing since they had been built, to examine concerns at planning application decision had been justified and what lessons could be learnt.

Site visits were organised on 8 October and 21 November 2011 to three venues and their current status was discussed.

Members felt that greater representation by District Councillors should be made at planning appeals and that full access to all photographs taken by planning officers of planning sites should be provided. These could be loaded onto iPlan. It was also felt that once a year a request should be made to Area Planning Sub-Committees regarding identification of controversial development sites for further critical examination. This should not be undertaken at the Area Planning Sub-Committee.

Case Study: CLG Consultation – Planning for Traveller Sites

The Panel received a report at its meeting on 14 June 2011, regarding the Department of Communities and Local Government Consultation, Planning for Traveller Sites.

The 12 week consultation was essentially about a draft Planning Policy Statement which intended to replace planning circulars about Gypsy and Traveller Caravan Sites and Travelling Showpeople.

The Government had made its intentions clear to abolish Regional Spatial Strategies and all associated housing and Gypsy Roma Traveller (GRT) pitch targets. This would take place with the enactment of the Localism Bill.

Members felt that:

(1) With a large housing list and a shortage of affordable housing, it was not possible to make adequate provision for the local community. It was felt that it would be difficult defending the making of provision for one group when the District Council could not make provision for others;

(2) There was concern that it would be quite impossible to identify a five year supply of deliverable sites; therefore there would be limits to how closely pitch provision could be aligned with other forms of housing;

- (3) The Council generally favoured consultation and involvement of the community, but Gypsies and Travellers and settled community applications should be dealt with in exactly the same way. Members were not persuaded that a new emphasis was needed because there were already existing duties to consult both at policy formulation and at planning application stages. The Council strongly disagreed that consultation on this specific issue would help improve relations. This was based on very recent experience of such a consultation;
- (4) The communities within the overall district were diverse, if the costs of GRT provision arose in one locality or community, but resulting benefits such as new homes bonus were expended in other localities that was also unfair;
- (5) As 94% of the district was Metropolitan Green Belt and traveller sites were inappropriate in the Green Belt, the combination made sourcing sites challenging;
- (6) The consultation appeared to make no reference to the overall size of site;
- (7) The transitional period of 6 months to identify and establish a five year supply of suitable sites was totally unachievable in this district. The timing would interfere with the preparation of the Issues and options consultation for the Core Strategy. The settled community, already angered and upset by the previous consultation, would continue to object strongly and in significant numbers, to any more specific work associated with the travelling community at this time.

TASK AND FINISH PANEL

SENIOR RECRUITMENT TASK AND FINISH PANEL

Origin:

Following a report to the Council by the Audit and Governance Committee, Overview and Scrutiny Committee were asked to undertake a review of the reporting procedures for the recruitment of the Chief Executive.

The Overview and Scrutiny Committee, at its meeting on 6 September 2011, agreed to establish a Task and Finish Group to facilitate this review.

Aims and Objectives:

- To bring forward a procedure for the reporting of complex and sensitive contracts to members and a procedure to be followed in the event of such contracts being entered into.
- To report their findings to the Overview and Scrutiny Committee for onward consideration by the Council.
- To have agreed written procedures in place in time to inform the outcome of the recruitment to the position of Chief Executive which is currently vacant and any issues arising from the review by Ernst and Young in respect of the corporate management structure. “

Term of Reference:

1. To consider and formulate a written procedure for reporting complex and sensitive senior officer employment contracts to members;
2. To consider the scope and agree positions to which these arrangements should apply (e.g. Chief Executive; Deputy Chief Executive; Directors; Assistant to the Chief Executive and other statutory officers);
3. To formulate a procedure on how the Council seek advice on the form of contract and other contractual considerations arising from senior staff appointments taking account of lessons learnt from previous cases;
4. To bring any other recruitment issues arising from the review to the attention of the Committee for the Appointment of the Chief Executive;
5. To report to the Overview and Scrutiny Committee with recommended procedures by 6 March 2012.

The Panel

The Committee appointed the following members to serve on the Panel:

Councillors K Angold-Stephens (Chairman), Mrs A Grigg, J M Whitehouse, R Bassett and D Stallan

The Lead officer was Colleen O'Boyle, Director of Corporate Support Services and Solicitor to the Council.

They had been charged with formulating a procedure on how the Council seeks advice on the form of contract and other contractual considerations arising from senior staff appointments taking account of lessons learnt from previous cases.

As part of our consideration we have reviewed copies of the existing relevant information and sought views on the process from the Acting Chief Executive, Assistant Director HR, Chief Internal Auditor and Chief Finance Officer. They also sought views from other authorities about these types of processes and took evidence from the Assistant Director HR on matters of process.

Although there was a procedure for the appointment of senior officers they had discovered that no written guidance set out how members should undertake these key recruitment exercises and ensure effective reporting to other members. They understood equally that no two exercises were the same and any process that they devised must be adaptable to each circumstance. They had worked with officers to bring forward two documents. Firstly, a Senior Officer Recruitment flowchart which provides a framework within which members can work for future appointments. And, additionally they were commending the use of a guidance note which should be read in conjunction with the flowchart and added more information about the stages in such an exercise.

The Panel also suggested that all future reports were made in a standard format which should ensure that members are able to fully understand the implications of the proposals put to the Council. This report format should give all relevant information including financial implications; risk assessments and advice from statutory officers.

Arising from their discussions they recommended that the Committee for the Appointment of the Chief Executive, specific to the current recruitment, consider how performance management and monitoring of the Council's progress towards meeting the Council's Forward Plan targets could be undertaken.

And finally, they suggested arrangements for the review of the new procedures be made after a year and then annually thereafter.

The Panel produced its final report (available on line) in January 2012 and presented it to the Overview and Scrutiny Committee and then to full Council in February 2012.

Report to the Council

Committee: Licensing

Date: 31 July 2012

Subject: Honey Lane Street Trading

Chairman: Councillor Ken Angold-Stephens

Recommendations:

- (1) That the Council adopts a policy on the grounds of road safety against issuing a street trading consent on any of that part of Honey Lane which is adopted public highway; and**
- (2) That the Council agrees that only the Licensing Sub-Committee should have the delegated authority to issue a consent for street trading on any of that part of Honey Lane which is adopted public highway.**

1. The Council has the power under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 to designate any street or streets in its area as a consent street allowing street trading to take place there with the consent of the Council. The Licensing Committee had agreed to the designation of the part of Honey Lane, Waltham Abbey, shown on the attached plan as a consent street, for the purposes of street trading. The Sub-Committee later removed the designation from Honey Lane after complaints were received and in October 2009 and the whole of Honey Lane was made a Prohibited Street. The definition of 'highway' for the purposes of the 1982 Act is wide enough to cover areas adjacent to the public highway.

2. A burger van wished to trade from the car park of the Woodbine Public House and requested that the part of Honey Lane outside the public house be re-designated as a consent street. This request was considered by the Licensing Committee in October 2011 and a consultation exercise was undertaken on whether to allow street trading other than between the two motorway accesses.

3. At its meeting on 11 April 2012, the Licensing Committee, after considering a report and having taken into account the various representations received, agreed to the part of Honey Lane from the Cemetery Entrance (eastern side) to the Woodbine Estate access road (western side) be re-designated a consent street. Waltham Abbey Town Council was agreeable that this area would be acceptable for street trading by consent. A plan is attached.

4. The members of the Committee were concerned that there were a number of road safety issues that could also apply to this part of Honey Lane. The Committee required that there was to be a policy against issuing any consents on any public highway and that only the Licensing Sub-Committee should be allowed to make a decision after taking account road safety issues.

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EPPING FOREST DISTRICT COUNCIL

Reference No: 2/2012-13

LEADER DECISION

Subject: Local Plan Cabinet Committee

Decisions:

- (1) To approve revised terms of reference for the Cabinet Committee on the Local Plan as set out in Appendix 1 to this decision; and
- (2) To publish the revised terms of reference as part of the Constitution.

Explanatory Note:

1. The current terms of reference of the Local Plan Cabinet Committee require that various stages of the process should be recommended by the Cabinet Committee to the Cabinet before action can be taken. This applies particularly to Paragraph 3.1 which deals with the main stages of the process.
2. Hitherto, in order to comply with the deadline set by the Council for completion of the Local Plan, reliance has been placed on Portfolio Holder decisions of various kinds to speed up the process. However, it is felt that there should be more collective decision making by the Council on some aspects of this process and with this in mind revised terms of reference are designed to avoid the requirement for the Cabinet Committee to report at every stage to the Cabinet before action can be taken. The Appendix to this decision shows changes to the terms of reference designed to achieve this objective.
3. These terms of reference will be reported to the next Council meeting for information purposes and included in the Constitution for future reference.

Legal and Constitutional Powers:

Local Government Act 2000
Local Government etc Act 2007

Signed _____
Councillor C Whitbread
Leader of the Council

Date _____

PU/IW

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LOCAL PLAN Cabinet Committee – Terms of Reference

- 3.1 To oversee and submit recommendations to the Cabinet as appropriate on:
 - (a) Agreement of documentation for consultation on the draft plan/preferred option and documentation to seek pre - submission representations on the proposed Local Plan;
 - (b) the final form of the Council's Local Plan (ie the version to be submitted to the Planning Inspectorate for Examination in Public);
 - (c) responses that should be made to any representations received following consultation on the Local Plan and related documents and supplementary planning documents;
- 3.2 To be responsible for all aspects (except those matters specified in 3.1 above) including but not restricted to:
 - a. monitoring of the achievement of milestones within the Local Plan and Community Infrastructure Levy preparation and review process;
 - b. agreement of engagement strategies for consultation periods as necessary;
 - c. agreement of documentation for consultation on (i) the Issues and Options;
 - d. agreement of draft options and policy wording to be used as the basis for Sustainability Appraisal.
- 3.3 To note, receive and, if necessary, agree officer reports on consultants' studies which contribute to the establishment of an up-to-date evidence base to influence preparation of the Local Plan.
- 3.4 To agree options for joint or co-ordinated working with neighbouring Councils, which comply with the Council's duty to co-operate and which best meet the needs of this District.
- 3.5 To respond to the Planning Services Standing Scrutiny Standing Panel as appropriate.
- 3.6 To monitor within the budgetary provision for the Local Plan, as approved by the Cabinet and the Council.
- 3.7 That the membership of the Committee comprise of members of the Cabinet, the number to be determined by the Leader of the Council.

3.8 That the Committee will be chaired by the Portfolio Holder responsible for Planning matters.

NB (1) In the event that the Council's Cabinet is constituted according the pro rata membership requirements of the Local Government & Housing Act 1989, any political group not having representation on the Committee by virtue of one of the named Cabinet portfolios shall nominate one member of the Cabinet to serve on this Committee.

(2) In the event that seats on the Cabinet are allocated by the Leader of Council solely to one political group, or to an alliance of one or more groups forming an administration, seats on the Sub Committee shall only be allocated to members of that group or alliance who have seats on the Cabinet.

CAB Trustees Report

The trustees of the Epping Forest CAB met on the 2nd July at Loughton Town Council Offices. I attended part of the meeting (having to leave early) as the substitute representative Member of EFDC.

The key issues from the meeting were as follows:

The building in Epping is due to be demolished and replaced as the cost of dilapidations on the adjacent social club building makes this an uneconomic solution and redevelopment of the whole site is now the most likely option; however this is still under discussion. The landlord is willing to consider offering accommodation to the CAB in a new development but at a rent rise of around £23,000 from £1,000. This is unaffordable but discussions are continuing and grant funding is being explored as well as a continuing search for alternative accommodation.

The St. Marys Church accommodation in Loughton is also vulnerable. The Church is undertaking a feasibility study into redeveloping the Parish Centre. This may become essential in the near future as this building is also in need of significant attention. If this comes about there will be no room for the CAB. In the meantime it has been agreed that the CAB's annual rent reviews will be re-scheduled and will go up annually roughly by inflation but that the bureau's occupation could be terminated with 6 months notice by either side. The Loughton CAB is therefore also seeking new premises. Their particular needs makes this difficult to achieve.

The CAB is considering outreach work from the Restore Centre in Loughton Broadway. Discussions are continuing.

Demand for services has risen by 780 cases this year which has put a strain on the bureau but they are attempting to recruit more volunteers where possible, and training has become an issue because of the large number of legislative changes this year (still ongoing). They are expecting a further sharp rise later this year as the new Benefits regime kicks in. Whilst Benefits and debt issues continue to rise steeply, employment issues and relationship issues have gone down for reasons that cannot easily be explained although the statistical analysis may be slightly suspect.

A budget for 2012/13 was accepted although there were concerns about adequate funding for ongoing training of new advisors and on the legislative changes that are being implemented this year. A grant of £69,669 from the Cabinet Office from the Advice Services Fund will be used for additional supervision, tutoring and specialist housing and debt work but this grant is for one year only. The approved budget is £217,258.50 for 2012/13.

Ken Angold-Stephens

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