

Report to the Cabinet

Report reference: C-035-2010/11
Date of meeting: 25 October 2010



Portfolio: Finance & Economic Development

Subject: Funding for one off unplanned emergency items which have occurred in Environment and Street Scene Directorate

Responsible Officer: John Gilbert (01992 564062).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the increase in District Development Funding of £27,790 from the refund of Business Rate for Waltham Abbey Sports Centre be noted; and**
- (2) To recommend to Council that the funding be utilised to deal with the one off, unplanned emergency works as outlined in this report totalling £25,696.**

Executive Summary:

There has been a refund of Business Rate for Waltham Abbey Sports Centre amounting to £27,790 and this is to be added to the District Development Fund (DDF) in 2010/11.

During 2010/11 there were 4 occasions where one off, unplanned emergency works have had to be carried out. The background, risk to the Council and/or the Council assets and the relative small cost of three of the items were evaluated and decisions made to undertake the work and then to consider the funding at the revised budget cycle so possible solutions could be found without increasing the Continuing Services Budget (CSB). A second incident at North Weald Airfield involving further security costs is reportable as under Financial Standing Orders.

The works/services were:

- Emergency Ditch work North Weald Airfield;
- Investigation of the Bund at North Weald Airfield;
- Security at Roding Valley; and
- Security at North Weald Airfield (2 incidents).

Savings in CSB could not be identified at the revised budget cycle to cover these costs but it has been identified that the Waltham Abbey Sports Centre refund of Business Rates which is to be allocated to DDF could be used to cover these unplanned emergency costs.

Reasons for Proposed Decision:

Funding for the emergency works that had to be undertaken, where there was no budget available needed to be considered within the Revised budget cycle and as no savings could be highlighted Finance have advised that this DDF item could be used to cover the costs.

Other Options for Action:

Not to provide the funding in this way. This would lead to all budget codes where these works/services were temporarily coded being overspent in 2010/11.

Report:

1. There have been occasions where emergency works/services have had to be undertaken due to unforeseen circumstances. At the point of where action was required Finance and environment and Street Scene officers discussed the options, risk to the Council if work was not undertaken and decisions made on the findings. The works were undertaken on the understanding that future funding would need to be found without increasing the CSB budget. This report outlines the work that needed to be carried out and the budget now available to fund this work as part of the revised budget cycle.
2. The Council is responsible for the clearance of ditches and culverts in Church Lane North Weald. When urgent works were identified it was deemed the responsibility of the Council as riparian owners and the fact that the klargester from the gymnasium on Merlin Way runs into the ditches. In the absence of any budget, although not directly responsible, the works cost of £4,896 was allocated to NWA code RS 301 1020 as it was hoped by Finance that a reduction in the electricity costs would cover the spend. This reduction has not been achieved and therefore there needs to be funding found from elsewhere.
3. The bund that runs within the NWA perimeter along the M11 motorway is the subject of investigation to see whether there is any likelihood that there would be movement of the structure which could then lead to slippage onto the motorway carriageway. Investigative work needed to be carried out at the end of 2009/10 financial year but it was not completed until June 2010. This therefore meant that the cost must come into the 2010/11 budget. The financial situation was highlighted at the end of 2009/10 and it was recommended that the funding issue be looked at again at revised budget time. The cost of the work was £6,000. Further ongoing monitoring will have to be completed and officers are awaiting a quotation for the ongoing monitoring regime. The monitoring work to be carried out and the requirement for further funding will be the subject of a future Report to Cabinet.
4. North Weald Airfield has experienced two occurrences this year when travellers have positioned themselves opposite the airfield. North Weald Airfield does not have any security or staff between 7pm and 7am and therefore the risk to the facility and tenants and the duty of care of the Council was reviewed during this period. It was assessed that an overnight security company should be engaged to be a presence on the airfield during the time that EFDC were not on site and for the duration of the travellers' presence. The cost has amounted to £12,600. There is no existing budget for this.
5. The Roding Valley lake bank erosion works were being undertaken at the site in July 2010. The Contractor had a caravan and person on site for the duration to safeguard the resources, being stored on site, from vandals etc. EFDC Officers were called to a serious on-site situation whereby the contractors' caravan and the representative were being abused, missiles being hurled around and the police were on site. It was advised by the police that a security presence should be in place at night whilst the contractor was on site. This involved a cost of £2,197.
6. The items outlined above total £25,696. All items were notified and discussed with the Senior Manager and Finance Officers before orders were placed and it was agreed to identify funding possibilities at revised budget time. There has been a refund of Business Rate for Waltham Abbey Sports Centre of £27,790 and it has been recommended that these emergency one off, unplanned items could be funded within the Environment and Street Scene budget by this income.

Resource Implications:

Emergency spend as below to be covered by the £27,790 Business Rate Refund of Waltham Abbey Sports Centre which is to be allocated to DDF:

▪ Emergency Ditch works	£ 4,896
▪ Bund Investigation	£ 6,000
▪ Security NWA	£12,600
▪ Security Roding Valley	<u>£ 2,200</u>
	<u>£25,696</u>

Legal and Governance Implications:

The initial emergency works were highlighted at various times but were considered to be small amounts which may have been able to be covered by underspends elsewhere and would therefore be dealt with at revised budget time. In the meetings with Finance these underspends were not possible therefore a report is needed as under Financial Standing Orders.

The recent second incident with travellers at North Weald increased this emergency work total and is included in this report as per the requirements of Financial Standing Orders.

Land ownership, duty of care and Health and Safety responsibilities have all had an impact on the decision that the works/services described in this report if not carried out immediately would have resulted in a high risk of penalties, a risk to life and limb and/or repercussions on the Council.

Safer, Cleaner and Greener Implications:

The ditch and culvert work if not carried out would have led to widespread flooding, further destruction of the culverts and an impact on the Gymnasium klargesters. This would have vastly increased future costs.

The bund investigations needed to be carried out so as to establish whether any immediate or future slippage would affect the M11 motorway and cause obstruction and/or closure of the motorway.

The procurement of security staff at NWA and Roding Valley was required to ensure the protection of the Council's Assets and the safety of personnel.

Consultation Undertaken:

- EFDC Technical Officers and Senior Management;
- Robert West Consultancy; and
- Police.

Background Papers:

- Environment and Street Scene documents;
- NWA Bund Report; and
- Works Orders, Emails and Memos.

Impact Assessments:

Risk Management

Each emergency incident was evaluated on its impact on the Council, security of assets and personnel and the consequences of not completing the works/services at the time. It was deemed necessary to carry out the work/service to prevent adverse conditions that would have resulted in consequences of a structural, financial nature or Health and Safety risk to the Council and/or its assets.

Equality and Diversity:

Due to the immediate response required for the incidents no formal equality and diversity impact assessments were carried out. However as part of the evaluation of the incidents there was consideration of its affect on the community as well as those directly involved.

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

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

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

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