

Committee: RESOURCES
Date: 26 June 2003
Agenda Item No: 6
Title: Government consultation on reforming home buying and selling
Author: Michael Perry (01799) 510416

Summary

- 1 The Government is committed to reforming the way home sales and purchases are carried out with a view to speeding up the process and reducing the number of abortive sales. One initiative is the proposed introduction of a compulsory Home Information Pack ("the Pack") which sellers or their agents will have to supply to potential buyers on request. The Government is consulting on what information should be contained in the Pack.
- 2 The Pack will have little impact upon Local Authorities as it will only be required where a home is being marketed for sale to the public. Right to buy transactions and housing stock transfers will not be affected. However there will be some cases where the Council will dispose of individual homes on the open market where the Council will be obliged to provide a Pack and there may be some impact on local land charge searches.
- 3 This report is to inform members of the content of the consultation document and to recommend a response to the Government. As this report also has implications for Housing Services it will have been presented to the Health and Housing Committee at its meeting on 5 June. A supplementary report will be circulated dealing with any comments that committee may make.

Background

- 4 It is proposed that the Pack should contain a summary of the terms upon which a property is being marketed for sale. Views are sought as to whether such a summary should be included. If so should it be limited to the basic details of the transaction (identity of the seller; the property being sold; whether the title is freehold/leasehold/commonhold; title number (if registered); encumbrances affecting the property; the Title Guarantee being offered; details of fixtures and fittings included in the sale and confirmation that the sale is with vacant possession) or should a full draft contract be supplied?

In practice most conveyancers use standard form conditions of sale which are generally acceptable. It would not seem unreasonable to require the seller to state in the summary which conditions of sale will be used for the transaction, what amendments (if any) he will require to those conditions and what special

conditions (if any) will be imposed. If a full draft contract were supplied there is a risk that a buyer may sign the same without taking legal advice and unwittingly enter into a contract. It is therefore **recommended** that the Council's response should support a summary of the terms to include a statement as to what standard and special conditions will also be applied.

- 5 There is a proposal that the Pack should include a schedule of fixtures and fittings which are included or excluded from the sale. Completion of the form would not be obligatory giving the parties the opportunity to negotiate over fixtures and fittings. Fixtures and fittings are not generally relevant issues to the sale of a council house on the open market. It is **recommended** that the Council's response on this issue should be limited to supporting the proposal that completion of a schedule of fixtures and fittings should not be obligatory.
- 6 It is suggested that the Pack should contain evidence of title to the property. In the case of registered land this should be by way of office copies of entries on the register not more than 3 months old at the date marketing commences together with copies of documents and plans referred to in the registers. If the title is unregistered the evidence should be by way of an index map search result not more than 3 months old at the date marketing commences and copies of deeds evidencing title. Title to the land will need to be established at some stage of the transaction and there is no reason why this should not be done early on, particularly in the case of registered land where the register is in any event open to public inspection. However it would seem unnecessary to provide copies of documents which are referred to in the registers if there provisions are summarised. It is **recommended** that the Council's response should agree with the proposal with the exception of supplying copy documents which are summarised in the registers.
- 7 It is intended that the Pack would contain standard searches (local land charges, drainage, Environment Agency etc). One difficulty is that searches only have a limited "shelf life". Standard searches speak for the day on which they are issued. Consequently the older the search the more likely it is that it will be inaccurate. The consultation document suggests that the standard searches contained in the Pack should be no more than 3 months old at the date marketing commences. This is based on the premise that most conveyancers will rely upon a search up to 6 months old. It is the experience of officers that in practice conveyancers do not rely upon searches that are more than 3 months old and that the requirement for a search which could be that old at the date marketing commences would not assist in reducing delays as the buyer would need to carry out a fresh search. (There is no suggested requirement that the seller should be responsible for ensuring a current search is always available). It is **recommended** that the Council's response should be that the standard searches should be as up to date as possible and in any event no more than 14 days old when marketing of the property commences.
- 8 With regard to local land charge searches these come in three parts. There is the search itself, additional enquiries in form CON 29 Part 1 (which virtually all conveyancers will require to be answered) and optional additional enquiries in

form CON 29 Part II which may or may not be relevant to a particular transaction. There is a fixed fee for all of the Part 1 enquiries. There is a separate fee for each additional Part II enquiry which is raised. The consultation document seeks views as to which of these documents should form part of the Pack. It suggests that if Part II replies are not supplied as a matter of course, in the interests of speeding up transactions sellers should seek replies to those Part II enquiries which it appears may be relevant to the transaction. The cost of providing replies to all Part II enquiries (most if not all of which would be irrelevant) would be significantly higher than merely supplying the search together with CON 29 Part 1, in this authority more than trebling the cost of the search. It is therefore **recommended** that the Council's response should be that the Pack should contain the search and CON 29 Part I replies only.

- 9 A further issue arises as to who should be able to provide the information contained in standard searches. There are 3 options. Firstly, the information could be supplied by anyone. Secondly it could be limited to local authority and other source providers, their agents (e.g. NLIS) and anyone with sufficient insurance to protect the buyer in the event of inaccurate replies. Finally it could be limited to local authority and other source providers and their agents only. The consultation document suggests that the first option would not provide buyers and lenders with adequate safeguards. The third option would create effectively a monopoly situation although it offers the most scope for accuracy and reliability. The second option provides some protection and also encourages competition. However there is a problem that search companies may not have a long trading life. Errors in standard search replies may not come to light for many years. If at that stage the search company has ceased trading the buyer would have no recourse unless the company had in place adequate slip-off cover. The consultation document suggests that the cost of such cover may prove prohibitive. However given the risks officers feel it is essential that buyers do have adequate protection which would continue after a company ceases trading. It is **recommended** that the Council should respond by supporting the second option providing that the insurance cover is adequate, that slip-off cover is supplied and that buyers are provided with evidence of the availability of insurance with the search replies.
- 10 The consultation document seeks views on whether the Pack should include copy planning/listed building consents, planning agreements, Article 4 Directions and certificates under the Building Acts. For planning permissions and similar consents the consultation document asks whether all of these should be supplied or only those aged 10 years or less at the date marketing the property commences and whether approved plans and drawings should be included. The ten year figure has presumably been chosen as beyond that date breaches of planning conditions are no longer susceptible to enforcement. However the ten year period commences from the date of breach of the condition, not the grant of the planning permission. Conversely, there will be some planning consents which have been granted but have expired without being implemented and which are therefore unlikely to be of interest to a buyer. Plans and drawings would not be of general interest for a completed property. Planning agreements and Article 4 Directions may be of

significant impact however. Buyers are immune from prosecution for breaches of building regulations and it may be fairly considered that matters of construction are really a matter for survey rather than reliance upon a certificate under the Building Acts. It is **recommended** that the Council should respond that planning permissions etc which have not expired without being implemented (but not the plans and drawings), planning agreements and Article 4 Directions should all be included in the Pack.

- 11 In the course of a conveyancing transaction buyers require certain information not necessarily contained in evidence of title. There are a number of forms in common usage and some conveyancers will use their own. The consultation document proposes that there should be a prescribed form for this purpose based upon the Law Society pro forma developed some years ago which is probably the most popular form in use today. This contains most of the information which buyers will require as a matter of course and conveyancers will be able to ask additional enquiries if their clients or the circumstances of the transaction require them. The consultation document also seeks views as to what questions should be included in the form. As the Council is unlikely to be involved in transactions where the Pack is used as a purchaser it is **recommended** that the Council support the requirement for an information form without commenting upon its contents.
- 12 The consultation document seeks views as to whether guarantees relating to the property should be included in the Pack. These are unlikely to feature in Council transactions and no comment is therefore proposed.
- 13 It is suggested that the Pack should contain a Home Condition Report (HCR) and energy efficiency assessment. The HCR would be in standard format based upon the Royal Institution of Chartered Surveyors' mid-range survey. The report would be limited to the condition of the property and would not include a valuation. The report should be no more than 3 months old at the date marketing commences. There will be a central data bank of all such reports. Where as a result of the HCR the seller carries out work to rectify defects which the HCR has revealed and the seller obtains a further HCR after completion of the works the earlier report would also form part of the Pack if there was less than 12 months between the reports. Buyers will be able to arrange for further or more detailed surveys if they wish. This will have resource implications for local authorities. An in-house surveyor would not be acceptable for the purpose of preparing an HCR. It is **recommended** that the Council response should be that the requirement for an HCR and energy efficiency assessment should not apply to sales by local authorities.
- 14 For leasehold and commonhold properties and for new homes the consultation document contains suggestions as to documents to be supplied as part of the Pack. As the Council will not be involved in the sale of any such homes it is not considered appropriate for the Council to respond on this issue, although officers consider the suggestions to be generally appropriate.

RECOMMENDED that the Council respond to the consultation document as recommended above

Background Papers: Office of the Deputy Prime Minister “reforming the home buying and selling process in England and Wales contents of the home information pack a consultation paper” March 2003

Committee: Resources Committee
Date: 26 June 2003
Agenda Item No: 7
Title: Financial Policy Review 2004/5
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Summary

- 1 In the next few months members and Officers will examine the Council’s corporate priorities and identify how they can be met through the Service Planning (including Continuous Improvement Plan (CIP) arrangements) and the budget process for 2004/5. A fundamental key to the Council’s priorities is the “Quality of Life Plan” approved by the Extraordinary Council Meeting on 12 June.
- 2 This report has been prepared to enable Members to give some direction to this process by considering:-
 - a) The Council’s priorities for 2004/5
 - b) The financial framework for the preparation of budgets

Background

- 3 One of the recommendations of the Council’s external auditors in their annual Management Letter and also included in the Best Value Performance Plan is to continue bringing together the budget and Service Plan/CIP process to enable resource decisions to be more based on Council priorities and linked to standards of service provision. This work will be further developed over the next few months. Another theme throughout this report is to enable the Council to develop the capacity to plan for the medium term, balancing the Council’s aspirations for services with the resources the Council can make available. This is a statutory requirement under the Prudential Code included in the current Local Government Bill.

Policy Context – What are the main things the Council wishes to achieve in 2004/5?

- 4 Members are aware of the Council's strategic objectives which are included in the BVPP and also attached in Appendix 1. The objectives give a longer term direction for the Council, but annual priorities are also required to give some focus for management and Member attention and for resource prioritisation.
- 5 The priorities included in the Quality of Life Plan approved by Council are attached in Appendix 2. Members are asked to give some initial consideration for priorities which can be achieved next year. This covers the implementation of both one-off and ongoing schemes. This will then form the basis of subsequent public consultation. It was agreed at Council that the priorities in the Plan be developed by October 2003 into a four year phased and resourced plan. For 2004/5 Service Plans and budget preparation this is too late and therefore in considering priorities Members are advised to take into consideration the following guidance. It is suggested that priorities:-
 - a) Reflect Corporate Objectives (Appendix 1)
 - b) Are such that milestones or outcomes can be defined for 2004/5
 - c) If possible reflect a balance between service and corporate aims and will normally have cross service implications however significant service only priorities might be possible
 - d) Recognise that 2004/5 will already be a demanding year and there will be limitations on the Council's capacity.
- 6 The Committee is advised to agree a list of no more than say six priorities for 2004/5 for the purpose of resource allocation and focus of Member and Officer effort to achieve clear objectives. The priorities may relate to either General Fund or Housing Revenue Account (HRA) expenditure. However the financial issues addressed in the remainder of this report relate only to the General Fund. In the future annual priorities will be more influenced by longer term strategies which will continue to be developed.

Financial Context – Provisional Outturn 2002/3

- 7 Provisional outturn figures for net General Fund expenditure are still in course of preparation. Officers should be in a better position to give Members an overall view by the time of the meeting. At present the main variation identified is about £100K higher interest earnings on balances than estimated. However, it is still too early to be sure that there are no offsetting major variations the other way due to the late availability of benefits subsidy reports and other key information. A number of services are expected to be carrying forward underspent amounts for specific service plan projects in accordance with Financial regulations.
- 8 More detailed outturn information will be submitted to the Resources Committee on 18 September as part of the draft Statement of Accounts. One of the tasks of the new Financial Services Manager will be to review the methodology used by Managers in setting budgets and exercising budgetary

control. Also Officers will shortly be implementing a new Financial Management Information System which will be operational from 2004. This will greatly enhance budget preparation, monitoring and multi-year projections.

Financial Context – Medium Term Financial Prospects

- 9 Relevant factors are given below to enable the Committee to review the medium term financial strategy for the Council.
- 10 Current Policy – The Council's current financial framework is based on the following information included in the budget approved by Council on 11 February 2003.
- a) No increase in overall Services net expenditure above 2003/4 level.
 - b) Indicative Council Tax increases of 7.5% for both 2004/5 and 2005/6 required to basically maintain a standstill budget
 - c) Use of appropriate Reserves to fund one-off expenditure
 - d) Maintain General Fund balances at £1.2m
 - e) Sustainability and affordability of budget decisions over future years.
- 11 Future Spending Patterns and Needs – While this Council's previous trend has been for underspendings, there is a strong probability that in the medium term this will change to significant pressure on on-going budgets. The Council is likely to be increasingly subject to external pressures to provide enhanced services; or changes in the way it does things – for example through Best Value and the CPA; consultation and customer satisfaction surveys; and working with partners. Within the Council the Quality of Life Plan has recently been approved and Members and officers have aspirations for improved services and current policies and initiatives may generate further spending proposals. In particular the following have been identified as creating pressures for further spending in the next 2-3 years:
- a) To meet the needs of an increasing population and changing expectations.
 - b) Improved waste collection, recycling and street cleansing to meet national recycling targets and customer expectations.
 - c) Meet the national e-Govt service targets by 2005 when all Council services, where appropriate, should be available electronically.
 - d) Increased Government requirements for regulatory functions for example in food and licensing.
 - e) Possible major changes in the provision of Housing Benefits
 - f) Continuing pressure on planning and development work
 - g) To address issues emerging from the Community Strategy and Best Value reviews
 - h) Issues resulting from the Council's Leisure and other strategies
 - i) De-criminalisation of on-street car parking arrangements
 - j) Rent rebate expenditure transferred to the General Fund
 - k) To address staff recruitment and retention problems

- 12 Like other organisations the Council is in a period of change and no doubt other currently unforeseeable spending pressures will materialise in the next 2-3 years. The Council's medium term financial strategy must allow it to cope with changing needs and to provide flexibility to resource its priorities (both current and future) effectively. In one respect the Council is in a favourable position having some ear-marked financial reserves but it is important not to squander those benefits in the short term. In particular it is important to ensure that any reduction in reserves is accomplished in a programmed way at no detriment to services.
- 13 Employer Pension Costs – As Members are aware, the last triennial valuation of the Pension Fund as at April 2001 greatly increased the Employers deficiency contributions to the Fund which are increasing to £491,980pa in 2005/6 and these amounts have been included in the three year projection. These were required as the Fund's liabilities were only 91% covered against a statutory 100% target. On 30 November 2002, the Actuary carried out an interim valuation of the Fund. The cover had decreased to only 74% largely due to Interest Rates and Investment Returns, especially on equities. The short to medium term projection is for little improvement in the Fund's performance and in fact the situation has deteriorated further since the 30 November valuation.
- 14 Essex County Council who administers the Fund have provided estimated deficiency contribution increases, based on the 30 November valuation. For this Council it is an additional £510,000pa which is on top of the previous deficiency contribution of £491,980pa. These are statutory payments which must be paid. The updated Indicative Budget Position Statement attached as Appendix 4 has this latest additional pension deficiency payments increase phased over the next two years from April 2004. Members will note that the base standstill Council Tax increase of 7.5% is increased to 15.15% and 13.52% over the next two years respectively due solely to the increase in employers pension fund deficiency contributions. Alternatively additional savings of £287,000 and £582,000 respectively are required which are probably not sustainable. As previously stated this does not allow for any growth above the 2003/4 base estimates.
- 15 The Government does allow upfront Revenue and/or Capital contributions into the Fund which thereby reduces the annual deficiency contributions depending on the size of the investment. Discussions with the Actuary show as an indicative guide that a payment of about £4,000,000 will reduce the annual revenue costs by £320,000pa but this reduction can change depending on changes to the Fund's performance. In order to reduce pressure on revenue expenditure and Council Tax levels Officers are further investigating this option and intend to submit a report to this Committee on 18 September 2003.
- 16 External Support – The new formula grant system was introduced from April 2003. This Council received the minimum increase allowed of 3% which included a one-off increase in Housing Benefit Administration Grant. Without this grant the increase is only £27,000. The Government is refusing to state

whether there will be a similar minimum “floor” increase next year. Therefore for the three year projection it is assumed for prudent financial reasons that there will be no increase above the amount received this year.

- 17 Prudential Code – This has been developed by CIPFA to underpin the new system of local authority capital finance which is included in the Local Government Bill. It will become operative from April 2004 and a full report on this subject will be submitted to this Committee at its September meeting. Very briefly, authorities will be able to choose between capital intensive and revenue intensive methods of providing services in accordance with option appraisals, value for money and service objectives. This will have major implications including the production of three year detailed revenue and capital plans and Council Tax forecasts. This work will therefore be required for the 2004/5 Budget preparations.
- 18 The current Local Government Bill emphasises corporate responsibility for financial management and imposes new duties on authorities on how they set and monitor their budgets. Together with the Prudential Code, the Bill also requires that the Director of Resources as S151 Officer shall report at the Council Tax setting meeting on the robustness and sustainability of the proposed budgets and the adequacy of reserves when budgets are set and prudential limits determined.
- 19 One of the difficulties with Local Government funding is the balance between that provided by central Government through both the Formula Grant and the per capita redistribution of National Business Rates, and the balance to be financed locally through Council Tax. This creates a ‘gearing’ problem whereby for an increase in spending, a disproportionate proportion has to be funded from an increase in Council Tax. At national level on average for spending above the total national Spending Assessment for local authorities, 80% of the additional spending is funded through Council Tax with only the balancing 20% coming from additional Formula Grants. Uttlesford’s budget requirement including parish precepts is less than the Government’s Spending Assessment but nevertheless central government funding comprises some 45% (16% Formula Grant and 29% redistributed National Business Rates) of the total. This highlights the extra additional efficiency and savings requirements needed to fund new spending and the difficulty of preparing sustainable budgets for future years. In recognition of this and other national issues the Government has recently established a Review to examine the balance of central and local funding. It is due to report early next year.
- 20 To further illustrate the effect of the gearing issue, we can examine Uttlesford’s own position. In 2002/03 the Budget Requirement including parish precepts was £7.846m and central government support was £3.707m leaving £4.139m to be found from the Council Tax. The District Council’s Band D tax was £101.11. For 2003/04 net expenditure increased by 4.7% or £0.367m to £8.212m, central government support increased by 0.88% or £32,000 to £3.739m and the Band D tax is £108.69 - an increase of 7.5%, significantly greater than the increase in net expenditure. Were the proportions such that

a greater element of the Councils net expenditure came from the Council Tax, then changes in the level of central support would have a lesser impact on the level of Council Tax.

- 21 Redistribution of Housing Capital Receipts – One of the key issues still to be determined is the nature and level of support that will be given by the Government for capital. Proposals to pool housing capital receipts nationally are already known. It is also known that capital grants are being considered instead of the existing way of supporting the ongoing costs of capital through central revenue support. Consultation is due this summer, but in advance of that it is difficult to forecast the impact on Uttlesford. The exact nature of the mechanism eventually chosen may impact on the affordability of capital projects for this Council.

Financial Projection

- 22 The future financial strategy for the Council needs to take into account the foregoing issues. In particular there is a need for a medium term view on the balance between:

- a) Levels of spending
- b) Use of reserves for one-off type expenditure
- c) Levels of Council Tax

- 23 The indicative budget projection presented to the Council in February 2003 included a 7.5% increase for the next two years. However this is not sustainable if all the additional Employer Pension costs are met from revenue and not capital as it would necessitate estimated annual savings of approximately £290,000 and a further £580,000 in 2004/5 and 2005/6 respectively. This scenario also assumes nil growth above the overall 2003/4 base position.

- 24 If the additional pension costs are financed from revenue this would necessitate Council Tax increases of 15.15% and 13.52% respectively. There would still be nil overall growth. This is shown as follows:

	C/Tax	Increase
2003/4	£108.69	-
2004/5	£125.00	15.15%
2005/6	£142.00	13.52%

- 25 In districts with parishes, council tax payers receive services from both the District and parishes. The national average council tax in 2003/4 for shire districts including parishes is £151.27. The average council tax collected on behalf of the parishes in Uttlesford this year is £40.52. If council tax payers in this District had been charged the national average council tax, then the council tax for Uttlesford would have been £110.75 for District services. Although this average figure is only slightly more than the actual Uttlesford amount of £108.69, it is worth reminding Members that this Council has the lowest Council Tax of all Essex District Councils.

- 26 A comparison of the total bill at taxpayer level for a band D property in 2003/4 is:

	Uttlesford	Average Shire District	
	£	£	
Essex County	896.40	869.33	
Police	92.97	108.35	
District	108.69	129.46	} 151.27
Parishes	40.52	21.81	
	<hr/> 1,138.58	<hr/> 1,128.95	

- 27 The third scenario is based on the Government's assumed average Council Tax (for Formula Grant distribution purposes) for Shire Districts including average parishes for 2003/4 of £181.32. This would result in an increase for 2004/5 of £32.11 (22%) based on this year's figure.
- 28 The Reserves should be maximised to finance one-off expenditure as much as possible. This is already done but detailed service estimates may be reviewed to extract all one-off items not already funded from reserves.

Conclusion on Financial Strategies

- 29 In making a recommendation on the above scenarios, Members should take account of the following considerations:
- Previous trend of underspends including Interest on Balances and the extent to which this may continue into the future. Officers are anxious not to portray too pessimistic a view of the Council's future position but must be realistic.
 - The fact that Government external support funds less than half of Council expenditure and this is likely to reduce in future. Consequently, any growth in expenditure will therefore have to be met substantially from increased Council Tax, or use of finite reserves for one-off expenditure.
 - The need for the Council to have the flexibility to respond to future needs, many of these currently unknown and some of them likely to be inescapable.
 - The underlying tax level of the three scenarios and the need to ensure that services can be supported and budgets are sustainable.

Recommend that to initiate the 2004/5 budget making process, the following be confirmed:-

- That a District Council requirement of £7,253,960 should at this stage continue to be used as the working target for budget projection purposes, equivalent to a Council Tax increase of 7.5%
- In order to keep the Council Tax increase at 7.5% Officers continue to investigate capital payment opportunities into the Pension Fund and report to the Resources Committee on 18 September 2003.

- c) The list of priorities included in the approved Quality of Life Plan be reviewed in order to define 2004/5 priorities with milestones our outcomes for the Council meeting on 22 July.
- d) That Members and Officers prioritise in general terms all services by the end of August in order to facilitate the planning and budget processes for consideration by Committees during the September cycle of meetings for approval by Council on 14 October 2003; and
- e) Because of the probable extreme pressure on budgets for 2004/5, Officers provide support for this process by feeding back to Members by the end of August opportunities they have identified for reducing budgets by increasing income or from efficiencies within their control.

THE FIVE STRATEGIC PRIORITIES OF THE AUTHORITY

These are the strategic priorities that currently determine the corporate and service priorities of the authority:

- To safeguard the environment and enhance it for future generations
- To manage the economy to meet the needs of the whole community
- To improve the health of our community and ensure Uttlesford remains a safe place to live
- To ensure the choice of homes better meets our community's needs
- To ensure better access for all in our community to services and jobs

OUR PRINCIPLES

We have also agreed the following six principles that underpin the strategic objectives of the authority:

- **Caring** We care for our customers, our employees and environment
- **Partnership** We work as a team with our partners for the good of the community
- **Communication** We listen to our customers and our employees and keep them informed
- **Services** We work to provide our customers with the services they require at a price they can afford
- **Flexibility** We adapt to new ideas and make use of better ways of doing things
- **Performance** We review our performance and services regularly

**QUALITY OF LIFE VISION 2007
THROUGH UTTLESFORD CAMPAIGNING AND LEADERSHIP
A Programme of Action for 2003-2007**

1. Introduction

Uttlesford needs a strong and campaigning council to counter the external forces that are trying to undermine local quality of life.

Firm resistance during the second half of 2002 and the first half of 2003 to additional airport runways has shown that local people draw the distinction between crude economic growth and the environmental and social damage that the wrong type of economic expansion can bring. A clear vision for the future combined with strong community leadership will be the best defences against forces that would turn our rural landscape and our villages into a characterless urban sprawl.

But effective leadership relies on the support of the district's residents. In the 21st century people want to be involved in decisions that affect them. The council should lead the community, but will do so only if it takes the community along with it by truly involving local people in defining and then implementing its vision. The use of area forums or committees would bring the Council closer to residents across the district. The very high turnout of Uttlesford residents in October 2002 for a referendum on airport expansion demonstrated that local people want to take part in democratic processes that are relevant to them. The increased turnout at the district elections on May 1st 2003 may be further evidence.

People are generally willing to embrace change for the better. The following programme sets out opportunities for change in the services the council provides or influences and changes in the way the council works.

2. Strong Community Leadership in Uttlesford

Current Government intentions offer radical change in the relationship between central and local government. They promise fewer regulations in return for councils meeting higher performance standards and demonstrating that they can adapt to new demands. The skills required from councillors and officers in leading and managing change are shifting. Higher priority must be given to training in new skills.

It is unlikely that Uttlesford District Council is yet performing well enough to achieve an Excellent or Good rating in the Comprehensive Performance Assessment that will be carried out by the Audit Commission in February 2004. External assessments have found weaknesses in political leadership. The Council also lacks adequate corporate management and leadership capacity to achieve change and to improve. The recent recruitment of a Performance Manager has started to reverse this deficit in corporate capacity, but there is still a deficit. Uttlesford needs to be and can be a high-performing, small, rural council. The new Council now has the opportunity to strive towards high performance.

3. Community Changes – The Quality of Life Plan

A major plan to maintain and improve the quality of life in Uttlesford involving all residents in real consultation.

3.1 Leisure

- a) Leisure Centres: Access to and use of the centres at Great Dunmow, Saffron Walden and Stansted for all residents will be promoted vigorously when they come on stream in summer 2003. Diverse use of the centres will be encouraged so that they are not seen solely as sport centres.

Green Leisure: Informal countryside leisure for local people and visitors will be promoted through innovative leaflets that publicise Uttlesford's well-known and "hidden" historical, natural and commercial resources, including in particular the district's extensive footpath network. A network of safe cycle routes and quiet lanes will be designed and implemented in phases by a 12-year programme. ***(UDC will publish an innovative leaflet of the 2002 Runways Ramble by 30 September 2003 as the first step in promoting Uttlesford's historical, natural and commercial resources, including in particular the district's extensive footpath network.)***

Community Centres. Arts and other leisure forms will be encouraged at centres in the south and the north of the district in partnership with other organisations. The leisure centres may be used. Access for all, including less fortunate residents, will be a priority. The aspirations and needs of young people will be given greater support.

3.2 Environment:

- a) Community Plan: A district-wide Community Plan is being launched on the 10th June under the banner of *Uttlesford Futures*. **The creation of village appraisals will be encouraged; young people's views will invited; the district council will support parish councils and the Rural Community Council of Essex in this work.** Steps will be taken to minimise the spoiling of rural areas with suburban visual features through greater vigilance within the planning service. *(Steps will be taken from summer 2003 to improve the capacity and performance of Development Control, including enforcement, through extra recruitment, training and the enhancement of tools to do the job.)*
- b) Airport: **The council will continue to oppose the imposition of more runways and excessive use of the current runway at Stansted airport and will work closely with and give support to the key campaign group, Stop Stansted Expansion.** *(By 30th June 2003 the council will bring the consultation on extra runways at Stansted to an end by submitting a supplementary representation on why Stansted is the wrong location for even one more runway and by supporting a "grande finale" event with SSE that the Government will not fail to notice.)* The council will resist the negative impact of airport growth that cannot be mitigated through planning conditions and legal agreements. The aviation industry must be made to pay the true cost of its negative impact on local quality of life and the global environment where these cannot be mitigated, but the Council will not accept compensation that bears no relation to environmental protection as an alternative to controlling the damage the air transport industry causes – especially noise, air pollution and road traffic. The council will campaign for enabling legislation and the application of EU legislation where this is beneficial.
- c) **RCCE: The Council will give financial support to the work of the Rural Community Council of Essex and participate in its initiatives for the benefit of villages in**

Uttlesford. *(A meeting will be held with RCCE by 31 August 2003 to review its relationship with Uttlesford District Council.)*

- d) **Recycling:** Recycling is a policy area where the council will strive to achieve 60% of domestic waste recycled by 2007. Waste-recycling trials will be pursued with vigour to add other materials to those collected. These trials include the doorstep collection of green waste and kitchen (putrescible) waste from households in selected areas. Ways to help elderly and disabled people to recycle garden waste and bottles will be found. The Council will push for a Recycling Centre to be established soon by Essex County Council in the south of the district. More effort will be put into public education and promotion to support these initiatives. *(Based on the results of the trial, a decision will be taken by 30 November 2003 on reducing the cost of collecting garden waste from the doorstep for elderly people who cannot take garden waste to skips and recycling centres. Additional facilities, such as a collection vehicle, will be funded to step up the rate of doorstep collections and boost significantly progress towards reaching recycling targets.)*
- e) **Flooding:** The council will pump-prime with a fund of at least £50,000 the implementation of higher impact flood prevention schemes in association with parish/town councils where those councils agree at least to match the district council's contribution. Private individuals and other agencies, such as the Environment Agency, will have to agree fund most of the cost.

3.3 People's needs:

- a) **Housing:** the council will continue to encourage low cost housing schemes for lower paid workers at the airport and in other industries. BAA and other larger employers will be encouraged to sponsor schemes. Central government will be lobbied to adapt shared ownership finance to accommodate the high local cost of homes. The Council will pursue policies to reduce external pressures on the local housing market that prevent local young people being able to afford their own homes. *(Uttlesford will maintain its planned level investment in affordable housing in 2003 and 2004 despite any moves by central government to take grants for housing investment away from Uttlesford. The Government will be lobbied before the end of 2003 by a delegation of councillors and local young people in need of housing to improve shared ownership finance to match the high cost of homes in Uttlesford.)*
- b) **Tenants:** The Council will only carry out a bulk disposal of its housing stock through voluntary transfer to a housing association if there are demonstrable benefits to existing and future tenants and other people in need of social housing. Action will be taken to improve specific areas of housing in poor condition and limited disposal will be considered if this proves to be the best way to ensure that standards are raised. Tenants will be fully involved in investigating options and in decision making at every stage.
- c) **Transport:** a scheme of combined ticket for buses and trains will be pursued for all residents. Concessions will be sought for young, elderly and needy residents. The Uttlesford Community Transport scheme will continue to be supported. The council will support initiatives that make public and community transport more attractive, flexible and available outside peak hours. It will support the promotion of the greater use of non-private transport. *(By 1st October 2003 a green transport plan will be started at Uttlesford District Council for councillors and council staff. By this plan an example will be set to promote the greater use of public transport by Uttlesford residents.)*

- d) Health & Policing: the council will campaign for improved clinic services in Dunmow, Saffron Walden, Thaxted and Stansted and for the localisation of health services traditionally provided only at general hospitals where this both helps access to services and reduces overcrowding at general hospitals. Uttlesford will strive to become a champion and watchdog for patients in scrutinising the performance of the Uttlesford Primary Care Trust and local health services and will involve patients' representatives in its work. The Council will also champion the needs of the community for visible and responsive policing. **The Council will challenge the Essex Police Authority to reverse the drain of officers from the rural police service. The Council will consider pump prime new community initiatives, such as Community Support Officers, that can be dedicated to Uttlesford, but will expect the police service to fulfil their obligations and meet their responsibilities to the full.**
- e) Youth Facilities: **Uttlesford will seek a formal partnership with the Essex Youth Service to ensure that the local service is focused on the needs of the youth of Uttlesford, whilst supporting existing good practices. Initiatives such as a network of skateboard parks and coffee bars will be encouraged.** (*A network of skateboard parks at key locations across the district will be supported. Every effort will be made to install the first of these by 30 November 2003.*) See also Leisure c), Community Centres. The Youth Council will be invited to contribute ideas to district council policy development.
- f) Access: The council's priority on the e-government initiative will concentrate on improving public access to services, especially for people living outside the main population centres, and on the quality of service provision in preference to the council's internal administration. **The Council will campaign for broadband communications access throughout the district for public and private use.**

3.4 Economy:

- a) District Centres: Annual awards will be made for businesses that demonstrate innovation, improvement and benefit to the commercial centres of the district. Winners will be invited to nominate schemes that will benefit towns and village centres. The Council will aim to treble its own contribution to the scheme by sponsorship from the private sector.
- b) Business Forum: The Council will play an active role in business-related forums and will encourage the creation of new ones to encourage economic diversity. Additional land will be designated for commercial operations to ensure that existing businesses can expand within the district and new ones can start up.
- c) Tourism and District Image: **Tourist visits (excluding those by airport users) to Uttlesford will be boosted by 10% between 2001 and 2006 with the focus on the economic benefit of local small businesses, especially accommodation, retail and public house businesses. Uttlesford will be put on the national tourism map by promoting the district's rich heritage and countryside. Uttlesford will become known as a part of the country that it would be unacceptable to destroy by a multi-runway airport.** (*By 31 December 2003 the District Council will install new boundary signs at principle road entries to the district that help create an image of Uttlesford as somewhere special to visit.*)
- d) Employment: The Council work with the airport to maximise the economic benefits of the airport to the district within negotiated guidelines that minimise

disadvantages. Exchanges of staff between the council and the airport will be encouraged to swap skills and increase co-operation without compromising the council's role as defender of local quality of life.

- e) Economic Policy: The council will replace its laissez faire, reactive attitude to the local economy with action that raises the profile of business within the district and makes the council more business friendly within a sustainable framework. Policies on rural diversification will be developed to retain a vibrant rural economy. Farmers' markets will be encouraged. **The council will become more involved in the wider economic debate in Essex, the Cambridge sub-region and M11 corridor debates to ensure that the interests of the businesses and residents of the districts receive a balanced consideration. Uttlesford will fight all county and regional attempts to subjugate local quality of life to misguided and unsustainable development aims based on significant airport expansion. The council will revise its economic policy in line with these aims and will employ people to strengthen this area of its work.**

4. Council Changes – The Quality Council Plan

The following changes in the way the Council works are proposed for putting into effect during the first two years of the new Council or by the dates shown for specific initiatives.

- a) Priorities: **A revised set of council priorities will be developed between officers and members so that paid staff are clear about what is expected of them and can direct their energies more efficiently to providing what local people want. The new protocol between council members and officers will be implemented to create good and effective working relationships that suit the needs of a small but successful rural district council.** (*Interim management will be employed by July 2003 to support the Council in addressing its priorities and its future direction and performance.*)
- b) Staff: **The management and staff structure will be adapted where necessary to deliver the priorities of this programme and future council priorities, and to ensure that the senior management team has the capacity to deliver change programmes. Uttlesford will aspire to becoming a role model for small rural district councils. The council will be equipped to deal with the strategic challenges facing the district.** (*The Leader of the Council will hold open meetings with members of staff on the new Administration's programme by 31 July 2003.*) Some of the necessary resources will be acquired through partnership working with other agencies. A programme of retraining and redeployment in support of the people involved in the changes will be funded. Where necessary skills are not available and cannot be acquired in-house, they will be acquired externally. If necessary, an open and fully transparent early release scheme that will include voluntary redundancy and early retirement will be offered to members of staff if any jobs disappear through this process of job change and redeployment cannot be achieved.
- c) Training: **A fully assessed corporate training programme in Best Value, Comprehensive Performance Assessment, and the culture and attitudes of officers and members that will turn performance round within the council by January 2006 will be planned to start in the autumn of 2003.** (*Urgent action will be taken starting in May 2003 so that Uttlesford achieves a Fair or Good result in the Audit Commission's Comprehensive Performance Assessment that will take place in February 2004.*)

- d) Value for Money: From 2004 Priority Based Budgeting or equivalent methodology will be increasingly introduced from its current tentative base as part of a financial strategy. Quality of service and value for money will be the deciding factors on what should be changed. Comparative data from other authorities will be used in the decision process. This will become a key driver behind future Best Value projects.
- e) Citizens and Openness: **There will be more openness in the way the council operates. Leading council members and officers will be available for scrutiny by the public at least twice annually in non-intimidating locations. Area forums and committees that meet several times a year will be established. The council will agree a communications compact with the public based on an annual programme of action that includes a newspaper.** *(The first community newspaper will be published by November 2003.)* This will be required to demonstrate that the council really believes in public participation. There will be an effective partnership with parish councils. Scrutiny and other routine meetings, including area forums in an improved format, will take place at locations across the district. **The Citizens and Openness agenda will be served by a much better resourced community communications function within the Council.** *(The recruitment of a Communications and Public Relations Manager will take place by 31 August 2003.)*
- f) Fairness: **The new Council will operate in an open and inclusive manner that ensures Members from all political groups are involved in the functions of the council in an open and fair way.** *(This new approach will begin in May 2003.)*

Councillor Alan Dean	Leader of the Council
Councillor Mark Gayler	Chairman Resources
Councillor Alan Thawley	Chairman Environment & Transport
Councillor David Morson	Chairman Community & Leisure
Councillor Chris Bayley	Chairman Health & Housing
Councillor Rodney Copping	Chairman Development Control & Licensing

Notes:

1. Bold text shows priorities for 2003/04.
2. Text in italics shows Early Win initiatives in 2003/04.

RECOMMENDED THAT:

- (1) That the Council adopts the priorities in the Plan for development by October 2003 into a 4-year phased and resourced plan.
- (2) That the Council approves the priorities for 2003/04 in place of the priorities approved by the Council in October 2002.
- (3) That the Council approves the Early Win initiatives for implementation by the dates set out in the Plan.
- (4) That these priorities form the basis for State of the District debate to be pursued through the Area Meetings to be held in July.
- (5) That officers, leading Members and committees assess the implications of the Plan and produce a work programme for inclusion in budget and service planning processes and approval by the Council in February 2004
- (6) That the priorities be incorporated in summary in the Best Value Performance Plan to be published by 30 June 2003

General Fund Summary Provisional Outturn

Information not yet currently available but planned to be presented at meeting.

Committee: Resources
Date: 26 June 2003
Agenda Item No: 8
Title: Housing Benefit and Anti Social Behaviour
Author: Mike Brean (01799) 510330

Summary

- 1 This report advises Members on the Department for Work and Pensions (DWP) consultation paper on Housing Benefit sanctions and anti-social behaviour.

Background

- 2 The Government recently introduced a White Paper called 'Respect and Responsibilities: taking a stand against anti-social Behaviour'. In this document it suggested that Housing Benefit might be a useful tool against anti-social behaviour. A consultation paper was published on 20 May 2003 seeking views on the introduction of a Housing Benefit sanction to deter and address anti-social behaviour.
- 3 The objective of Housing benefit sanctions would be to act primarily as a deterrent to discourage people from acting anti-socially, although it would also provide a means of imposing a penalty on those who are not deterred.
- 4 The DWP have developed two models of how Housing Benefit sanctions might work.

Option 1 – Court based

- 5 Under this option, where a court convicts a person of an offence involving anti-social behaviour, it would also make a declaration. That declaration would be notified to the DWP who would instruct the relevant local authority to apply the sanction. Housing Benefit law would be amended to make receipt of benefit conditional on the good behaviour of the claimant and members of his/her household. The local authority would apply the sanction by paying a reduced amount of benefit for a period.

Option 2 – Administrative based

- 6 This would be an administrative sanction applied at the discretion of the local authority, which does not include the courts. An officer of the local authority would determine whether the sanction should be applied and direct the Housing Benefit section accordingly. Again, Housing Benefit law would be amended to make receipt of benefit conditional on the good behaviour of the

claimant and members of his/her household. The sanction would result in the amount of benefit being reduced.

Impact on local authorities

- 7 Costs would arise for local authorities under both options, but would be significantly higher for option 2. The consultation paper does not cover how local authorities are to meet the additional the costs involved in applying sanctions.
- 8 Under option 1, after receiving notification from the DWP, the local authority would have the task of checking that there was a valid Housing Benefit claim and reducing the benefit. The local authority would reduce the benefit and deal with any enquiries, complaints or appeals against the reduction in benefit. Appeals regarding the issue of the determination of anti-social behaviour would be challenged through appeal to the courts.
- 9 Option 2 would require the local authority to take on a new decision making function of determining cases of anti-social behaviour. The local authority would have to set up procedures and then process such cases. They would apply the sanction by reducing the benefit and deal with enquiries, complaints and appeals against both the determination and reduction in benefit.
- 10 From a local viewpoint, most of the anti-social behavioural problems in this district concern owner-occupiers, not tenants of properties.

Local Government Association response

- 11 The LGA wrote to all local authorities on 4 June 2003 stating that it believes that both options are seriously flawed and does not consider that Housing Benefit is an appropriate tool to address anti-social behaviour. It raised the following concerns about the proposals: -
 - They introduce a new concept of delivering welfare benefits based upon behaviour rather than need and poverty;
 - They are discriminatory in targeting only those people on Housing Benefit when no equivalent sanction is applied to other groups of people;
 - The Government is committed to simplifying the Housing Benefit system and these proposals are not in line with that aim;
 - Private sector landlords could be deterred from letting properties to people on Housing Benefit because of the danger of non payment of rent if a sanction is imposed;
 - There will be additional bureaucracy and expense in establishing processes to administer the sanctions.

- 12 It would be helpful to officers if Members gave an indication of their support for the LGA's initial response to the consultation paper.

RECOMMENDED that

- i) Members' comments be invited on the Government's proposals.
- ii) A further report will be submitted on future developments

Background Papers: Housing Benefit sanctions and anti-social behaviour consultation paper.

Committee: Resources
Date: 26 June 2003
Agenda Item No: 9
Title: Council Tax – proposed changes for second homes and long term empty homes
Author: Mike Brean (01799) 510330

Summary

- 1 This report advises Members on the Office of the Deputy Prime Minister's (ODPM) proposed changes for Council Tax discounts and exemptions. The changes require primary legislation and are included in the current Local Government Bill. Subject to Parliamentary approval, the Government aims to implement the changes from 1 April 2004.

Background

- 2 Owners of second homes and properties, which have been empty for a long time, currently receive a mandatory 50% discount on their Council Tax bill. The Government proposes to allow local authorities discretion to reduce or end the discount. Also, local authorities will be able to create their own discounts and exemptions in response to local factors.

Main Changes

- 3 Local authorities will have the discretion to: -
- Reduce the existing discount for second homes (defined as furnished dwellings, which are no-one's main residence) from 50% to a minimum 10%. The billing and any major precepting authority will retain any additional Council Tax raised locally. Authorities will be able to decide how to spend any additional income raised because of the reduction in

second homes discount.

- Reduce or remove completely the existing 50% discount for unfurnished long term empty homes and decide how long a property remains empty before Council Tax is due. There will be no local retention but the extra resources will be kept by local government at a national level and redistributed.
- Grant additional relief in circumstances that are not already covered by the current national discounts and exemptions in response to local factors, such as flooding and other natural disasters. Authorities, which exercise these powers, will meet the costs of any new discounts or exemptions.

Reasons for change

- The impact of second homes and long-term empty properties vary from area to area. The prevalence of second homes can have a significant impact on some communities, such as driving local people out of the area and increasing house prices in general.
- There are a large number of homes, which have been empty for some considerable time. Long-term empty homes can attract crime and anti-social behaviour, they deny homes to those in housing need and can cause a drain on local resources.

Financial implications

- 6 The ODPM have indicated that for Council Tax second homes, any additional income will be distributed pro rata between the billing and any precepting authorities. The table below sets out the current position regarding second homes and long-term empty properties in this district and the potential effect of the redistribution of any additional income: -

	Number of second homes	Number of long term empty homes
Number of properties	156	409
Maximum additional income if full discount reduction/removal applied	£81990	£230810
Additional income raised	£7790 (Represents 9.5% retained locally by this Council)	Not known - retained nationally and redistributed

Conclusion

- 7 A report will be submitted to Members advising them of the financial impact of the above and recommending a way forward as soon as the Local Government Bill has been enacted and Regulations issued.

RECOMMENDED that

- (i) Members note the Government's proposals.
- (ii) A further report will be submitted containing recommendations for consideration.

Background Papers:- Council Tax: A consultation paper on proposed changes for second homes and long term empty homes.

Committee: Resources Committee
Date: 26 June 2003
Agenda Item No: 10
Title: Capital Programme – Replacement Financial Management System
Author: John Dickson (01799) 510300

Summary

- 1 A report on the 2003/4 IT Programme was approved by this Committee on 23 January. It included an indicative sum of £130,000 for a new Financial Management System (FMS).
- 2 The existing FMS was purchased in 1990 and is now in need of replacement. The indicative sum included in the IT Programme was based upon a replacement system with similar, albeit modernised functionality. However, further investigations have identified that many of the available systems offer additional functionality that would be of benefit to the Council. Additional features include document imaging and electronic procurement. Such features would for example, aid budget monitoring and reporting, assist in multi-year financial planning and reduce the time and cost of procurement. In addition, provision needs to be made for temporary staffing to cover for permanent staff working on the implementation.
- 3 Discussions have taken place with other authorities, including Stevenage Borough Council who is a potential partner for the project. Stevenage has a budget of £250,000 for a replacement FMS, although this sum includes a new

stores system. In addition, Sevenoaks District Council and Tandridge District Council have recently jointly procured and implemented a FMS and the total costs including hardware and temporary staff costs were in excess of £450,000. It is therefore recommended that this Council's budget be increased to £220,000.

- 4 A joint OJEC Notice has recently been placed and the plan is for short-listed tenderers to provide demonstrations during the summer and a report recommending a preferred supplier is to be submitted to Members in the Autumn. The implementation stage will take approximately six months with a planned commencement date for the new FMS of April 2004.

RECOMMENDED that the Capital Programme Budget for the replacement of the Financial Management System be increased to £220,000.

Committee: Resources
Date: 26 June 2003
Agenda Item No: 11
Title: Communications Staffing
Author: Elizabeth Forbes (01799) 510400

Summary

- 1 The purpose of this report is to recommend an additional staffing post to strengthen the Council's capacity in communications.

Background

- 2 In recent years Government expectations and requirements of local authorities have emphasised, amongst other things, regular communication and consultation with local communities. This is reflected in the expectations and observations of inspectors and external assessors. This Council has been criticised for its limited corporate capacity to address the Government's modernising agenda and the limitations of the consultation work undertaken. Most recently, the Best Value Inspectorate remarked that there was little public consultation in relation to the best value review of leisure and cultural services.
- 3 Members will be aware that the Assistant Chief Executive retired in May 2003 and has not been directly replaced. The functions of that post are now being covered in a number of ways. These include the designation of the Head of Legal Services as Monitoring Officer and the allocation of duties related to democratic and committee support to the Committee & Communications

Manager who now reports to the Head of Legal Services. The new post of Performance Manager has also now been filled.

- 4 This re-allocation of duties has increased the workload of the Committee & Communications Manager, putting more pressure on the communications function. In anticipation of this pressure a recommendation was made earlier in 2003 for a part-time Publications Officer but this was not approved. The position has now been further reviewed in the light of experience and the priorities set out in the Council's Quality Of Life Plan. It is now proposed that a new post of Communications & PR Officer be established.

Proposal

- 5 It is suggested that a generic communications officer is needed to cover the following main areas of work:
 - Media and public relations
 - Core corporate publications including Council Page/newspaper
 - Consultation strategy and coordination
 - Internal communications
- 6 A draft job description is attached. It is proposed that the post would report to the Committee & Communications Manager who would therefore retain an overview of this area of work.

Financial Consequences

- 7 The post has not yet been evaluated but it is expected that the cost, including on-costs, would be in the region of £26,400 – £32,000. The 2003/04 summary budget includes a sum of £11,500 for prioritised growth to cover the original proposal for a part-time Publications Officer. Therefore the maximum net additional cost for the new post is £20,500, which will require a supplementary estimate.

RECOMMENDED that

- 1 The post of Communications & PR Officer be established with immediate effect and recruited as soon as possible;
- 2 That the maximum additional cost of £20,500 be funded by a supplementary estimate in 2003/04 and that the necessary funding be built into budget projections for 2004/05.

Background Papers: [\[Click here to type in background paper details\]](#)

UTTLESFORD DISTRICT COUNCIL

JOB DESCRIPTION

Designation: Communications & PR Officer
[Click here to type your post number]

Post Number:

Service: Democratic & Legal Services
[Click here to type your section]

Section:

Reporting to: Committee & Communications Manager

Located: SW

Responsible for: None

OVERALL PURPOSE OF JOB

(summary in no more than two or three sentences)

1. To coordinate the Council's media and public relations.
2. To be responsible for the publication of specified corporate publications for the Council.
3. To coordinate involvement and consultation exercises with local people.
4. To coordinate the Council's internal communications.

KEY RESPONSIBILITIES

1. To act as initial point of contact for media enquiries to the Council.
2. To coordinate press releases and other media contacts keeping members and officers informed as necessary.
3. To produce the Council's corporate publications, including liaising with local businesses to generate advertising income where appropriate.
4. To produce the monthly Council Page and/or periodic Council newspaper as may be determined.
5. To produce and implement a corporate consultation strategy.
6. To organise specific public consultations which may include surveys, focus groups and/or public meetings, including consultations with hard-to-reach groups.
7. To maximise opportunities for fruitful partnership arrangements in external relations by working with other local organisations.
8. To develop best practice to ensure that staff and elected members are kept informed and involved.

9. To implement a dynamic and inclusive communications strategy.
10. To work within the resources available.
11. To undertake such other duties as may be required consistent with this job description.

Committee: Resources Committee
Date: 26 June 2003
Agenda Item No: 12
Title: Interim Director Strategic Development
Author: John Dickson (01799) 510300

- 1 At the Annual Council Meeting on 20 May 2003, proposals were approved for the appointment of a new Chief Executive (Minute C17 refers). As part of the recommendations Members agreed that the Appointments Panel should carry out the early appointment of an Interim Director for Strategic Development which could be funded from the balance of £80,000 in the Management of Change Reserve. The Member Panel have interviewed several candidates from recognised recruitment agencies/consultants but at the time of writing this report no appointment has yet been made. The core of the brief is around the analysis of the Community Strategy and the four year Quality of Life Plan and how the Council will achieve them.
- 2 Under the Council's Financial Regulations no financial reserves can be used to fund expenditure without the prior approval of the Resources Committee or for urgent items the agreement of the Chairman of Resources Committee which is then subsequently confirmed at the next Resources Committee Meeting. Therefore in order for a budget to be created for an appointment to be made for this interim position

It is RECOMMENDED that the balance of £80,000 in the Management of Change Reserve be used to fund the appointment of an Interim Director Strategic Development.

Committee: Resources Committee
Date: 26 June 2003
Agenda Item No: 13
Title: Risk Management
Author: John Dickson (01799) 510300

Summary

- 1 This report asks Members to approve a Risk Management Policy and also to confirm the Officer decision that external consultants be appointed to assist in completing the outstanding Risk Management work included in the Council's code of Corporate Governance.

Background

- 2 The Audit Commission auditors most recent Management Letter which was presented to Council in December 2002 highlighted business risk management as an area requiring both development and improvement. This work was acknowledged and included in the Code of Corporate Governance which was approved by Council on 15 April 2003 and details are attached in Appendix 1. Progress has been made on several fronts including reforming the Officer Risk Management Group which held its first meeting last month. The previous Officer Group who had been in operation for many years was mainly focused on insurance-type risk management issues.
- 3 The Officer Group recommended a Risk Management policy to Corporate Management Team for approval and it is included as Appendix 2 for Member comment and approval.
- 4 Risk Management is an integral part of the CPA process and the scoring requirements together with the results from the upper tier CPA process is shown in Appendix 3. The statement "risk management helps make you excellent" may be correct as an analysis of the CPA results showed that 82% of the authorities graded as excellent identified risk management as playing a key role. Currently Uttlesford would reach only a score of 1 on this subject through the CPA process.
- 5 A presentation on risk management issues was made to the recent Officer Group meeting. Afterwards it was unanimously agreed that there were no spare internal resources to kick-start the action plan of work and make quick progress at a corporate level.
- 6 It was agreed that quotations be invited from suitable external consultants. The lowest quotation received was from Zurich Municipal Management

Services for a net cost to the Council of £9,800. This work can be funded by virement from within Corporate Management and authorised under the Council's Financial Regulations and Procedures by the Director of Resources. The work would include an initial half-day facilitated workshop with SMT and then individual meetings with members of SMT (max two hours). A final facilitated workshop based on the results of the interviews will follow and finally a Management Action Plan produced. In summary this will meet corporate training requirements, inter-relationships identified which will be included in future Service Plans and corporate risk identified, recorded and assessed as to their impact and likelihood and included in a Risk Register.

- 7 This external assistance should mean a higher CPA score and at a practical level, the required management training and involvement necessary to continue the work at individual service level as required.

Recommended that the Committee

- 1) approve the Council's Risk Management Policy
- 2) confirm the appointment of external consultants to facilitate the process

Background Papers: [\[Click here to type in background paper details\]](#)

EXTRACT FROM CODE OF CORPORATE GOVERNANCE

However risk management will be updated in the following areas:

- The Officer Risk Management Group will be reconstituted and the terms of reference revised.
- A training needs analysis will be produced to identify any gaps in the Group's capability.
- A revised Risk Management Policy will be produced to reflect best practice and be adapted to reflect the needs of the Council.
- Inter-relationships will be identified and considered as part of the Service Plan process.
- All Council Officers involved in the risk assessment process will be briefed and the role of risk management will be communicated to all employees.
- All risks will be identified, recorded and assessed as to their impact and likelihood.
- An ongoing process will be introduced against which the risks can be monitored and reported.

DRAFT RISK MANAGEMENT POLICY

The Council recognises its responsibility for the management of both external and internal risk and the necessity to demonstrate its commitment to implant risk management into daily operations from service planning through to corporate processes.

Risk is defined as being the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and to successfully carry out its strategies.

Risk management is defined as being the culture, processes and structure that are directed towards effective management of potential opportunities and threats to the organisation achieving its objectives. (Association of Local Authority Risk Managers (ALARM)/District Audit)

The Council's risk management objectives are as follows:

- To integrate risk management into the Council's culture and strategic planning processes.
- To manage risk in accordance with best practice.
- To anticipate and respond to changing social, environmental and legislative requirements.
- To prevent injury, damage and losses and reduce the cost of risk.
- To raise awareness of the need for risk management by all those involved in the delivery of the Council's services.
- To take actions to minimise the likelihood of risks occurring and/or reducing severity of the consequences of an event.
- To ensure that risks are monitored regularly and reported to Members in order to inform the annual Corporate Governance assurance statement.

The Council will achieve these objectives by:

- Establishing a Risk Management Steering Group to oversee the process.
- Producing and regularly reviewing a prioritised corporate risk register.
- Establishing clear roles, responsibilities and reporting lines for action planning, controls, training, procedures and reviewing actions taken.

- Incorporating strategic risk management considerations in the setting of its priorities, service delivery planning and Best Value Reviews.
- Arranging training opportunities if required for members of the Steering Group and other staff.
- Developing the risk management aspects of Corporate Governance including the assurance statement.

RISK IDENTIFICATION AND MANAGEMENT

Within the CPA process risk identification and management was one series of categories subject to Auditors Judgement. The following tables clearly highlight the areas that were expected to be in place to achieve the appropriate score.

Indicator	1	2	3	4														
<p>Risk identification and management</p>	<p>There are no arrangements for the identification, assessment and management of key financial and operational risks.</p> <p>No involvement of members in determining key risks and response.</p> <p>Only insurance risks are assessed.</p>	<p>There are arrangements for risk identification and assessment but not for the subsequent management of all the key financial and operational risks identified.</p> <p>Risk register in place but needs updating for some areas.</p>	<p>There are arrangements for risk identification, assessment and management in place for all key financial and operational risks which include:</p> <p>Formal identification and assessment of risks.</p> <p>Mapping of risk to internal controls.</p> <p>Risk Register in place, which is reviewed and updated.</p> <p>Changing behaviour and resources allocation in response to clarifying risks.</p> <p>Involvement of members in determining key risks and response.</p>	<p>There are arrangements for risk identification, assessment and management which include:</p> <ul style="list-style-type: none"> • Formal identification of risks • Mapping of risks to internal controls and to budgets and resource allocations. • Risk Register which is reviewed and updated. • Monitoring the effectiveness of the internal controls through key indicators. • Changing behaviour and resources allocation in response to clarifying risks. • Comparison with peer authorities. • Involvement of members in determining key risks and response. 														
<p>* Key Category 1 = Inadequate 2 = Adequate overall but with some weakness that needs to be addressed 3 = Adequate 4 = Better than adequate</p>																		
<p>Summary The results amongst single tier authorities in England were as follows:</p> <table border="1" data-bbox="220 1644 571 1823"> <thead> <tr> <th colspan="2">No. of Authorities</th> </tr> </thead> <tbody> <tr> <td>Category *</td> <td></td> </tr> <tr> <td>1</td> <td>29</td> </tr> <tr> <td>2</td> <td>96</td> </tr> <tr> <td>3</td> <td>21</td> </tr> <tr> <td>4</td> <td>3</td> </tr> <tr> <td colspan="2" style="text-align: center;"> <hr/> 149 </td> </tr> </tbody> </table>					No. of Authorities		Category *		1	29	2	96	3	21	4	3	<hr/> 149	
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Committee: Resources
Date: 26 June 2003
Agenda Item No: 14
Title: Community Support Officers
Author: E Forbes (01799) 510400

Summary

- 1 The purpose of this report is to update members on the introduction of Community Support Officers by Essex Police and seek members' views on the release of funding from this Council.

Background

- 2 At its meeting on 5 February 2003, the Resources Committee agreed to earmark £50,000 "for the purpose of community wardens, subject to being satisfied that the Essex Police Authority would make adequate and proportionate provision in its own budget for the proposition to be financially viable." It was further agreed that the Community & Leisure Committee and Resources Committees should approve the details and funding of the scheme before financial resources might be released.

Proposals

- 3 The Home Office is providing funding for 45 Community Support Officers (CSOs) on a matched funding basis and Essex County Council is providing funding for 20 CSOs. It is understood that there are already 10 CSOs working within the county.
- 4 A report is being considered by the Police Resource and Finance Committee on 23 June with a recommended allocation of CSOs. It is envisaged that the Braintree policing division, which covers Braintree District and Uttlesford District, will receive an allocation of 9 CSOs. If the £50,000 funding from this Council is confirmed, this would provide an additional 4 CSOs. The Council's contribution would represent approximately 50% of the total cost of the four officers. These four additional officers would be deployed within Uttlesford District.
- 5 The deployment of the officers will be a matter for the divisional commander of police. Some analytical work is being undertaken focusing on anti-social behaviour, nuisance youths and similar incivilities to use as a model to allocate the resources within the division. The Divisional Commander hopes that the Council will support the funding for four additional officers. She feels

that they will be a clear visible presence which will reassure the community, assist with crime reduction and help target problem areas and individuals.

- 6 CSOs provide an additional uniformed presence in local areas and work under the existing community policing team structure. They are not replacing police officers. Their powers are set out in the attached Appendix. This is completely different from Special Constables who have full police powers.
- 7 These staff will be centrally recruited and trained and should start joining Essex Police from October 2003. CSOs are being recruited on a permanent basis; however the Essex County Council funding is guaranteed for 3 years and a similar level of commitment is being sought from this Council.

RECOMMENDED that Members determine whether they wish to approve the release of the Council's contribution of £50,000 for Community Support Officers for Uttlesford.

Background Papers: Minutes of Resources Committee 5 February 2003 and Council 11 February 2003;
Correspondence with Essex Police

Powers exercisable by Police Community Support Officers – Schedule 4 Police Reform Act 2002

Essex Police Community Support Officers (PCSO's) are designated by the Chief Constable of Essex, and may exercise the following powers when on duty:

- The issue of fixed penalty notices in respect of:
 - Cycling on the footway.
 - Disorder.
 - Dog fouling.
 - Litter.
- Confiscation of alcohol in designated public places.
- Confiscation of alcohol from young persons.
- Confiscation of tobacco from young persons.
- Removal of abandoned vehicles.
- Seizure of vehicles used to cause alarm.
- Entry to save life or limb or prevent serious damage to property.
- Carrying out road checks.
- Enforcing cordon areas under s.36 Terrorism Act 2000.
- Stop and search of vehicles & items carried by persons in authorised areas ss.44 and 45 Terrorism Act 2000 in the company of a constable.
- Stopping vehicles for the purpose of testing.
- Regulating traffic for the purpose of escorting abnormal loads.

Power to require name and address

Have a power to require a persons name and address in the following circumstances:

- Reasonable belief of a **relevant offence**:
 - Relevant fixed penalty offence
 - Offence involves injury/alarm/distress
 - Offence involves loss/damage to property

OR

- Reasonable belief that subject is acting in an anti-social manner.

Committee: RESOURCES
Date: 26 June 2003
Agenda Item No: 15
Title: Staffing Update
Author: Carole Hughes (01799) 510407

Summary

- 1 The table below shows each vacancy that has arisen since the last date of the table prepared for Resources Committee. It shows the date the vacancy arose, the job title, the relevant Service and the decision taken. The decision taken section refers to whether the vacancy was to be advertised and recruited to and on what basis or whether it is frozen.

Date	Job Title	Service	Decision
10/3/03	Clerical Assistant/Junior Legal Assistant	Legal	To advertise and recruit on a permanent basis
31/3/03	Financial Services Officer	Finance	New post to advertise and recruit on a permanent basis
7/4/03	Performance Assistant	Corporate Core	Ditto
14/4/03	Clerical Assistant	Housing	
5/5/03	Cashier/Admin Assistant	Finance	Officer returning from maternity leave to part time hours. To advertise and recruit on a permanent basis
19/5/03	Clerical Assistants x 2	Revenues	To advertise and recruit on a temporary basis. Temporary need to cover secondment and maternity leave.
9/6/03	Clerical Assistant Records & Searches	Planning	To advertise and recruit on a permanent basis.
9/6/03	Clerical Assistant, Property	Housing	To advertise and recruit on a

			temporary basis. Temporary need due to maternity leave
9/6/03	Admin Assistant, Car Parks	C & L	To advertise and recruit on a temporary basis. Await outcome of options following decriminalisation of parking.

Background Papers: Resources Committee Meetings
Vacancy recruiting forms