

# Policy Review and Development Panel

Grand Jury Room, Town Hall  
20 June 2011 at 6.00pm

The Policy Review Panel deals with reviewing policies and issues at the request of the Cabinet or Portfolio Holder, or pro-actively identifying issues that may require review; dealing with those issues either directly or by establishing Task and Finish Groups, monitoring progress of these Groups and assessing their final reports.

# Information for Members of the Public

## Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at [www.colchester.gov.uk](http://www.colchester.gov.uk) or from Democratic Services.

## Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please pick up the leaflet called "Have Your Say" at Council offices and at [www.colchester.gov.uk](http://www.colchester.gov.uk)

## Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

## Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off before the meeting begins and note that photography or audio recording is not permitted.

## Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document please take it to Angel Court Council offices, High Street, Colchester or telephone (01206) 282222 or textphone 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

## Facilities

Toilets with lift access, if required, are located on each floor of the Town Hall. A vending machine selling hot and cold drinks is located on the first floor and ground floor.

## Evacuation Procedures

Evacuate the building using the nearest available exit. Make your way to the assembly area in the car park in St Runwald Street behind the Town Hall. Do not re-enter the building until the Town Hall staff advise you that it is safe to do so.

Colchester Borough Council, Angel Court, High Street, Colchester  
telephone (01206) 282222 or textphone 18001 followed by the full number you wish  
to call

e-mail: [democratic.services@colchester.gov.uk](mailto:democratic.services@colchester.gov.uk)

[www.colchester.gov.uk](http://www.colchester.gov.uk)

# Terms of Reference

## Policy Review and Development Panel

- To review strategies and policies at the request of the Cabinet either directly or by establishing Task and Finish Groups, and to make recommendations back to Cabinet for decision.
- To review issues at the request of a Portfolio Holder either directly or by establishing Task and Finish Groups and to make recommendations back to the Portfolio Holder for decision.
- To monitor progress of Task and Finish Groups and assess their final reports prior to their submission to either the Cabinet or the Portfolio Holder.
- To proactively identify issues that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.

**COLCHESTER BOROUGH COUNCIL  
POLICY REVIEW AND DEVELOPMENT PANEL  
20 June 2011 at 6:00pm**

**Members**

Chairman : Councillor Nigel Offen.  
Deputy Chairman : Councillor Mark Cory.  
Councillors Nigel Chapman, Julie Young, Margaret Fairley-Crowe, Marcus Harrington and Lesley Scott-Boutell.

**Substitute Members** : All members of the Council who are not Cabinet members or members of this Panel.

**Agenda - Part A**

(open to the public including the media)

**Members of the public may wish to note that Agenda items 1 to 6 are normally brief and the last Agenda Item is a standard one for which there may be no business to consider.**

**Pages**

**1. Welcome and Announcements**

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

**2. Substitutions**

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

**3. Urgent Items**

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

**4. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

- any body to which the Councillor has been appointed or nominated by the Council; or
- another public body

then the interest need only be declared if the Councillor intends to speak on that item.

If a Councillor declares a personal interest they must also consider whether they have a prejudicial interest. If they have a prejudicial interest they must leave the room for that item.

If a Councillor wishes to make representations on an item on which they have a prejudicial interest they may do so if members of the public are allowed to make representations. In such circumstances a Councillor must leave the room immediately once they have finished speaking.

An interest is considered to be prejudicial if a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

Councillors should consult paragraph 7 of the Meetings General Procedure Rules for further guidance.

## **5. Have Your Say!**

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

## **6. Minutes**

**1 - 6**

To confirm as a correct record the minutes of the meetings held on 28 February and 18 May 2011.

## **7. Debt Management Policy**

**7 - 44**

See report by the Head of Resource Management

**8. Open Space Events Policy 45 - 57**

See report by the Head of Life Opportunities

**9. Work Programme 2011-12 58 - 67**

See report by the Head of Corporate Management

**10. Exclusion of the public**

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

**POLICY REVIEW AND DEVELOPMENT PANEL  
18 MAY 2011**

*Present :-* Councillors Nigel Chapman, Mark Cory,  
Margaret Fairley-Crowe, Marcus Harrington,  
Nigel Offen, Lesley Scott-Boutell and Julie Young

**1. Appointment of Chairman**

*RESOLVED* that Councillor Offen be appointed Chairman for the ensuing Municipal Year.

**2. Appointment of Deputy Chairman**

*RESOLVED* that Councillor Cory be appointed Deputy Chairman for the ensuing Municipal Year.

# POLICY REVIEW AND DEVELOPMENT PANEL

## 28 FEBRUARY 2011

*Present :-* Councillor Nigel Offen (Chairman)  
Councillors Margaret Fisher, Mike Hardy, Michael Lilley  
and Lesley Scott-Boutell

*Substitute Member :-* Councillor Sue Lissimore for Councillor Nigel Chapman

*Also in Attendance :-* Councillor Lyn Barton

### 22. Minutes

The minutes of the meeting held on 10 January 2010 were confirmed as a correct record.

### 23. Historic Town Centre Improvements

The Panel considered a report by the Head of Strategic Policy and Regeneration giving an update on the Historic Town Centre Improvement Project which formed part of the Better Town Centre Programme.

Howard Davies, Town Centre Project Manager and Fiona Duhamel, Regeneration Programme Manager presented to the Panel a background report explaining that the Better Town Centre Programme, which had been launched in March 2010, brought together a number of current and future projects under nine key themes:

- Improving Colchester for You and Your Family
- Creating Quality Public Places and Spaces
- Bringing New Buildings and Street Scenes
- Supporting and Growing Business and Retailers
- Getting around Colchester
- Promoting Colchester
- New Things to See, Do and Visit
- Ensuring Clean, Safe Places and Spaces
- Changing Colchester After Dark

The themes had significant cross over and following discussions across the Council's services and with Essex County Council, a Steering Group had been set up to monitor projects within the themes and risks to the programme and to ensure sufficient engagement opportunities were developed with the public and key stakeholders.

A number of key projects sat within the nine themes such as development of a new hotel and Creative Business Centre in the St Botolph's Quarter, the new Magistrates' Court, improving Town Station square, Greyfriars boutique hotel, successful implementation of Christmas lights, working with businesses around more reasonable parking charges, improved access works to the Priory, improved public realm works in Lion Walk, new working arrangements for town centre street cleaning and waste collection, task and finish group for the town centre evening economy, the round Britain



cycle race, creative kiosks in the bus station waiting room, work on improving the night time economy through the Purple Flag status and the town centre traffic and transport improvements.

A month long engagement period had been provided in October 2010 which included:

- A stakeholder event;
- A week long exhibition;
- Over 530 people attended the exhibition;
- An online questionnaire was launched;
- 193 responses, with 90 additional emails.

In addition the following groups had been individually consulted:

- Bus operators;
- Hackney Carriage Association;
- CoRBA;
- Access groups;
- Age Concern;
- Lion Walk Retail;
- Culver Square Retail;
- Federation of Small Businesses;
- Individual small business operators;
- Hotel operators;
- Residents from the Dutch Quarter, Roman Road and Priory Street.

It was explained that the detailed Phase 1 work has been produced in partnership with Essex County Council using consultants Mouchel, focusing on works to reduce unnecessary traffic in the town centre, improve reliability of public transport, enhance pedestrian priority and improve cycle access.

The scheme proposed:

- A bus gate at the bottom of North Hill, operating all day every day only allowing buses, taxis, motorcycles and cycles to travel north to south along its entire length;
- No right turn into the High Street from Head Street between 10am and 6pm, other than for buses, taxis, motorcycles and cycles;
- A bus gate at the eastern end of the High Street into Queen Street only allowing buses, taxis, motorcycles and cycles to improve late night pedestrian safety and prevent a rat run circuit in the evenings and mobile parking during the day;
- No entry at any time into the Dutch Quarter from the High Street, access to be from St. Peter's Street;
- Relocation of existing accessible parking from the High Street to other locations;
- Current High Street taxi rank reduced in size to enable a wider pedestrian space;
- A larger all day taxi rank in Head Street allowing provision to be shared around the town centre;
- Improved High Street Bus Stops. The improvements will enable buses to manoeuvre in and out without the need to protrude into the highway;
- An improved and larger bus stop in Queen Street as part of the hotel development;
- A longer term vision for a new bus facility in the Stanwell Street/Osborne Street area.

Feedback on the proposed traffic and transport plans had been positive with over 77%

of people expecting a positive impact or no change. Nevertheless, there had been issues of concern relating to changes to the accessible parking in the High Street and changes to business delivery times.

Investigations had been undertaken in relation to alternative accessible parking in the Town Hall car park and in Priory Street and other options were being looked at including working with NCP to develop opportunities at Nunns Road car park and increasing the number of spaces in Vineyard Street car park which would involve improvements to the existing lift.

In terms of the concerns from retailers regarding the proposed changes to the delivery times, officers had and would continue discussions with CoRBA and individual businesses.

It was proposed that implementation of the improvements to High Street bus stops would take place in the spring and the changes to traffic flows and vehicle access would be undertaken in the summer.

In respect of the wider Better Town Centre Programme, work on key projects was continuing with a further public engagement event planned with the likelihood that this could focus on the proposals to gain Purple Flag Status in Colchester (an accreditation linked to improvements in the night time economy).

The Panel discussed the topics raised in the report and gave particular consideration to the following issues:-

- The level of responses to the consultation and whether it was deemed to be significant;
- The need for young people's views to be taken into account, by using social network as a mechanism to obtain comments;
- Details of the work being undertaken to the lift from Vineyard Street car park to make it more reliable / resistant to abuse;
- The potential for negotiations to be undertaken with Culver Square retailers to secure the use of lift facilities to Culver Square;
- The likely timescale for the Vineyard Gate development to come on board;
- Details in connection with the Purple Flag initiative;
- The plans in place for the former bus depot.

Councillor Barton, Portfolio Holder for Planning and Sustainability, attended the meeting and, with the consent of the Chairman, addressed the Panel explaining that developers had been unwilling to commit to the Vineyard Gate development in the current economic situation but that good progress had been made with the boutique hotel and she was hopeful that a Creative Hub would be a very impressive outcome for this area of the town centre.

RESOLVED that the significant progress with the Better Town Centre Programme and the feedback from the engagement event undertaken in October / November 2010 be noted.

## 24. Colchester Cycle Town Project

Mr Phil Allen addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), in opposition to the proposal to change the Lower Castle Park riverside walk into a shared cycle / pedestrian route. He was of the view that the walk was currently a safe walking environment for residents and visitors of all age groups and believed that if it was opened to cyclists there would be no control as to how and by whom it was used. He felt that there were a number of alternative routes available to cyclists and urged the Panel members to oppose any change in designation of paths within the Castle Park.

Ms Paula Whitney addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), in opposition to the introduction of the cycle route currently being constructed in Crouch Street. This route had not been included in the original proposals and she was of the view that National Cycle Route 1 was well used and had been designed well so that people could see where it travelled. The route currently being constructed had been poorly planned and ought to have been routed behind the Tesco store to prevent conflict with pedestrians.

Paul Wilkinson, Transportation Policy Manager explained that a decision on the paths in Castle Park had not yet been made. The Castle Park consultation exercise was due to close at the end of that week. The responses would be looked at and reviewed and from which a report would emerge.

Mark Eves, Cycle Town Programme Manager explained that he was aware of the issues in relation to National Cycle Route 1 but the new route along Crouch Street was part of proposals to develop access both into and through the town centre. This was part of a Strategy formulated in 2008 to widen the cycle route network. He was of the view that it would be very difficult to encourage cyclists to use a route to the rear of the Tesco store and part of the reasoning was to encourage more people to travel past the Crouch Street shop frontages.

The Panel received a presentation by Paul Wilkinson on the Colchester Town Centre Project.

The presentation covered:

- Cycling and its links to the Strategic Plan;
- The reasons why people choose to cycle and the changes to enable these choices;
- The background behind Colchester being one of only 18 towns to secure Cycle Town status;
- The budget of £4.2m, made up of funds from Cycle England and match funding;
- The partnership was made up of Essex County Council, Colchester Borough Council, Sustrans and CTC, Colchester Cycling Campaign, Colchester2020 LSP, National Express East Anglia;
- The strategy centred on improved access, training and communication,
- Progress had been made in terms of improved infrastructure and routes from Highwoods, the Garrison, the railway station, Greenstead and Lexden, various marketing, promotion and training events

- Various options for the future were outlined.

The Panel discussed the topics raised in the report and gave particular consideration to the following issues:-

- An indication of what currently constituted a cycle route;
- The potential to continue to deliver Bikeability courses, in particular those to Level 3 standard, suitable for older children and adults;
- The work being undertaken to encourage cycle routes against the flow of vehicular traffic;
- The work being undertaken to discourage the use of headphones by cyclists;
- The potential to improve connections for cyclists from outlying areas such as Rowhedge and West Mersea;
- The benefits and dis-benefits of shared paths and the need for all use to be courteous and for pedestrians to take priority;
- The need for good quality cycle networks to be direct, pleasant and traffic free.

RESOLVED that Paul Wilkinson be thanked for his informative presentation.

## **25. Work Programme 2010/2011**

The Panel considered a report from the Head of Corporate Management setting out the current situation regarding the Panel's work programme for 2010/11.

The Panel had completed a number of very important tasks and received presentations on very interesting and stimulating subjects. It remained only for the work connected with the Task and Finish Groups relating to Waste Prevention and Recycling Options Appraisal and Older People's Accommodation to be commenced as soon as possible.

RESOLVED that the contents of the work programme for 2010/11 be noted.

20 June 2011

|                       |                                      |               |                         |
|-----------------------|--------------------------------------|---------------|-------------------------|
| <b>Report of</b>      | <b>Head of Resource Management</b>   | <b>Author</b> | <b>Debbie Greenwood</b> |
| <b>Title</b>          | <b>Debt Management Policy Report</b> |               | <b>☎ 282522</b>         |
| <b>Wards affected</b> | <b>All Wards</b>                     |               |                         |

**This report concerns the Council's Debt Management Policy.**

## 1. Action(s) Required

- 1.1 To review any comments on the Council's Debt Management Policy.

## 2. Reasons for Action(s)

- 2.1 The Council first adopted a formal Corporate Debt Policy in 2002, following comments in our annual Audit Letter. A policy document was presented to the Policy and Review Panel in February 2007. We have now reviewed and strengthened the procedures in reference to changes in legislation and best practise.
- 2.2 We have included procedures to be followed when a debt is put forward for write-off, so that a consistent approach is adopted throughout the Council and all possible opportunities are taken to recover the debt. Including guidance to recovering monies subject to bankruptcy or liquidation.
- 2.3 Procedures have been included to help customers who are suffering from financial difficulties. Appointments can be made at our Debt Clinic, held once a week at the Customer Service Centre.

## 3. Alternative Options

- 3.1 The Council could adopt various alternative approaches to debt management. This policy presented offers the best balance between the need to collect all debts and the need to be sensitive to those who cannot pay.

## 4. Supporting Information

- 4.1 The Debt Management Policy is attached as appendix A.
- 4.2 The first part of the document covers the general procedures to be followed, whilst Appendices have been added to cover detailed actions to be taken for each service Or type of debt. The intention is that the individual appendices will be reviewed and revised as necessary, without the need to amend the overall policy.
- 4.3 A Corporate Debt Working Group has been established to look at common issues and to work at improving recovery procedures and includes all services and Colchester Borough Homes. Areas for further work already identified by the group include joint tracing arrangements and devising methods of sharing information obtained.

## **5. Proposals**

- 5.1 The proposal is to adopt the Debt Management Policy as the accepted guidance for the collection of all types of income owed to the Council.

## **6. Strategic Plan References**

- 6.1 The collection of debts due is fundamental to financing the Council's strategic plan objectives. The debt policy meets our objectives to listen and respond to all our customers. It Addresses our customer's needs and adopts best practice to help those in need of our advice and help.
- 6.2 A good Debt Management Policy is an essential part of sound budget management, which underpins all of the Strategic Plan priorities. The policy also sets out how the Council can provide advice and assistance to residents in managing their own finances, which supports the aim of people being able to remain in their own homes or other tenancies.

## **7. Consultation**

- 7.1 Formal consultation with members of the public is not appropriate for this policy.
- 7.2 A task group of all council departments has been set up and chaired by Resource Management, in order to keep under review the Council's Debt Management Policy And related procedures.
- 7.3 It is felt that the Corporate Debt Working Group reflects the needs of a wide range of stakeholders.

## **8. Financial implications**

- 8.1 The prompt collection of money owed to the Council helps reduce borrowing, by maintaining healthy cash flow. Failure to maximise collection can adversely impact on financial resources and has budgetary implications.

## **9. Equality, Diversity and Human Rights implications**

- 9.1 All debtors are treated equally and fairly. A Debt Clinic is available each Wednesday morning for customers who need detailed support and advice. An Equality Impact Assessment has been completed and is available on the Council's website:

[Corporate Debt Policy](#)

## **10. Publicity Considerations, Community Safety and Health and Safety Implications**

- 10.1 None.

## **11. Risk Management Implications**

- 11.1 The Council's Internal Auditors have recommended that outstanding debts should be regularly reviewed along with policies and procedures. Not to do so could result in an adverse comment in the annual report.

# **DEBT MANAGEMENT POLICY**

**Revised  
June (2011)**

## CONTENTS

|                                       | <b>Page</b> |
|---------------------------------------|-------------|
| 1. Introduction                       | 2           |
| 2. Billing and Invoicing Arrangements | 2           |
| 3. Methods of Payment                 | 3           |
| 4. Reminders                          | 3           |
| 5. Enforcement                        | 4           |
| 6. Extenuating Circumstances          | 7           |
| 7. Debt Advice                        | 7           |
| 8. Use of Bailiffs and Tracing Agents | 8           |
| 9. Bad Debts                          | 8           |
| 10. Complaints and Errors             | 11          |

## APPENDICIES

### **Routine Actions for Debt Recovery:**

|   |  |    |
|---|--|----|
| A | Standard Enforcement Actions for Benefit Overpayment                         | 12 |
| B | Standard Enforcement Actions for Housing Rent – Current Tenants              | 16 |
| C | Standard Enforcement Actions for Housing Rent – Former Tenant Arrears        | 21 |
| D | Standard Enforcement Actions for Sundry Debt                                 | 27 |
| E | Standard Enforcement Actions for Council Tax                                 | 28 |
| F | Standard Enforcement Action for Business Rates                               | 32 |
| G | Standard Enforcement Actions for Penalty Charge Notices                      | 33 |
| H | Standard Enforcement Actions for Mortgages and Shared Ownership Scheme Debts | 34 |
| I | Arrears Recovery Process service charge and ground rent                      | 30 |



## **1. Introduction**

- 1.1 The Council has annual collectable income in the order of £125m. It is vital for public services that this money is collected effectively and efficiently.
- 1.2 Council Rent debt is managed on behalf of the Council by Colchester Borough Homes, the Arms length Management Organisation, but the procedures to be followed will be agreed with the Council.
- 1.3 This document sets out how the Council aims to do this in a reasonable and responsible manner.

## **2. Billing and Invoicing Arrangements**

- 2.1 Bills, accounts, invoices and all similar documents will be issued promptly in accordance with the Council's service standards. Upon issue those documents will:
  - Be accurate
  - State clearly what payments are required
  - State clearly when payment should be made
  - Include a list of the payment methods that can be used, and if appropriate, a direct debit instruction form.
  - List the locations where payments can be made
  - Include, where appropriate, a statement advising those having difficulty making payment, to contact the Council
  - Include, where appropriate, the consequences of payment being late or not made
  - Include a contact point, and a purchase number where appropriate, where advice can be obtained or a query resolved
  - (Where appropriate) VAT status and VAT charged
- 2.2 The situation can be different for sundry debts and miscellaneous income. Where possible individual Services should follow the principles as below:
  - Does an invoice have to be sent – if goods or services are being provided, payment should be requested in advance.
  - Where the full cost may not be known in advance – such as hire of premises – substantial deposits will be required on booking for the hire charge and for potential damage, with the balance of the cost due before the day of the hire.
  - When arrangements are made for costs to be recharged, the service must establish on what basis and when the costs will be recovered must be built into the procedures in advance according to the Corporate Debt Policy.
  - Internal recharge will be dealt with by journal transfer.

Services are advised to discuss these issues with their Service Accountant or Income Manager.

### **3. Methods of Payment**

- 3.1 The Council will encourage and promote the use of Direct Debit, BACS transfer, "Touch Tone" telephone payment, Internet and other electronic systems, as the most efficient and secure options, and also to protect those involved in the handling of cash against the risk of crime.
- 3.2 Although electronic media forms the basis of the Council's preferred payment methods, the widest possible range of alternatives will be offered, subject to the existence of sufficient demand and an appropriate balance of resource required to support any particular payment method.
- 3.3 Where regular debts are created, details of how payment by direct debit can be made will be provided at an early stage. The Council has developed easy methods of setting up direct debit, including by telephone and over the Internet. Facilities are available for monthly payment dates, depending on service, to be chosen by the customer and these will be developed further.

### **4. Reminders**

- 4.1 For a variety of reasons monies or revenue due to the Council will not be paid as requested. It is important that recovery action is commenced as soon as possible to maximise the probability of debt recovery.
- 4.2 In general terms recovery of an unpaid debt will commence with a reminder.

Reminders will:

- Be issued promptly
  - Comply with any legislative requirements.
  - State clearly the amount outstanding.
  - State clearly the consequences of the payment not being made as requested.
  - List the options for payment.
  - List the locations where payment can be made.
  - Include a contact point for any query or issue arising from the reminder.
  - Include a statement, requesting the recipient to make contact immediately if payment cannot be made or will be delayed.
- 4.3 Later stages of reminders will recognise the specific legal remedies that must be pursued, or where a service is provided, the withdrawal of the service.

## 5. Enforcement

5.1 The Council will use all means at its disposal to ensure that monies due to the Authority are recovered. The Council will follow the relevant statutory or civil process to enforce payment.

5.2 There is a core of regular routine actions which will be used to secure payment as detailed in Appendix A.

These routine recovery actions will be reviewed regularly and revised as appropriate.

5.3 Additionally there are a range of other remedies that the Council Officers will consider and use where appropriate in order to secure payment. These include, but are not limited to:

Attachment of Earnings, Fees or Benefits - Potentially used where the debtor is employed or in receipt of other regular income.

Bankruptcy Proceedings/Liquidation

This is a recovery tool, potentially used when the debtor is a property owner and it is thought that there will be sufficient equity within the property to support full or partial repayment of the debt. The Enforcement Manager should consider the debtor's age, employment status and mental health state before starting proceedings. Adequate written warning, detailing the consequences and costs associated with Bankruptcy must be sent by the Enforcement Officer and when appropriate an officer will attempt to visit the debtor. A full record of contact and written correspondence must be recorded.

Cases considered suitable for bankruptcy are selected from cases that have been returned from the bailiff, either unable to gain entry or unable to access or returned no goods.

When selecting accounts for bankruptcy proceedings. The following factors must be considered:

Bankruptcy  
Proceedings/Liquidation (cont)

- The level of equity available in relation to the liable property and any other associated properties where the debtor has a financial interest and whether there is sufficient to cover the outstanding debt and associated costs.

Is there any documentary evidence on file to suggest that the debtor could be vulnerable?

Have the Capita and Idox systems been checked for employment details or is benefit information held?

Is there evidence or local knowledge to suggest that the property is up for sale and therefore a charging order would be more appropriate.

Has an officer attempted to visit the debtor?

A letter is sent to potential cases once the Liability Order (s) have been returned from the bailiff. This outlines the purpose of a statutory demand and the implications, risks and costs associated with bankruptcy. The Council will allow at least 14 days from the issue of the letter before passing the cases to the Council's bankruptcy practitioners.

The Council or its practitioners will issue a pro-forma document to the practitioner, detailing the name of the debtor, address, the Council Tax reference number and the amount of the debt. The information will include a breakdown of each Liability Order, when it was issued and for what period. A copy of the land registry report will also be sent. The Capita Council Tax system will be noted clearly of the proceedings. The Solicitors will serve a Statutory Demand under section 268(1)(A) of the Insolvency Act 1986. The solicitor may contact the Council to seek authority for any proposed arrangements. If no contact is made the solicitor will contact the Council to seek authority to issue a bankruptcy petition.

- |  |   |
|--|---|
| Charging Orders on Property  | - Used where the debtor owns a property. It may be some years before the property is sold and the Council recovers its debt. The Council may also consider this action where the debtor is on a low income and or is classed as vulnerable or elderly.  |
| Committal Proceedings<br>(only available for Council Tax and Business Rates) | - Will be used where there is no evidence of hardship or extenuating circumstances. This will be used when bankruptcy or charging orders are not appropriate due to no property ownership. It is not generally accepted by the local magistrates' court as appropriate action, but can be used when other remedies have been exhausted. |

5.4 As the enforcement process progresses, cases of payment difficulty will be revealed. Those cases will be approached positively and constructively, to achieve a manageable and effective solution. In reaching a decision the Council will work to the following principles. The debtor will be encouraged to make an appointment at the Debt Advice Clinic, held weekly at the Customer Service Centre. If the debtor has severe financial problems an appointment with a money advisor at the Citizens Advice Bureau is recommended.

- The enforcement process will normally be held at the point reached when contact is made. This will reward early contact. However the Council may take action to protect its interests as part of any payment agreement.
- Voluntary solutions will always be considered in preference to statutory or civil remedies as a first stage.
- Past history of payment will be a factor in any decision.
- Extenuating or household circumstances will be taken into account in any decision.
- Where payment solutions are agreed, confirmation of the agreement will be made in writing and include the action that may be taken in the event of non-payment. Once bankruptcy and other remedies have commenced these will follow a strict timetable until completion, any contact at this point may not permit the Council to hold recovery proceedings.
- Where a payment solution cannot be agreed, the debtor will be advised of the reason for that outcome, and that the recovery process will continue, if an alternative cannot be agreed.

## **6. Extenuating Circumstances**

- 6.1 There will be occasions where the Council must look beyond the debt itself and take account of the potential impact upon the individual's family, household or business concerned, either to protect vulnerable people, to avoid the transference of a problem elsewhere or impact upon the local community.

Examples of this are:

- The presence of very young or elderly people in the household
- Chronic or terminal illness
- Recent bereavement of a spouse or member of the household
- Potential homelessness
- The ability of the individual, household or business to make payment.

These situations may apply to business debts, but with the added dimensions of:

- Potential loss of employment for employees of the business
- Loss of key facilities for the local community
- A payment option is the only choice because the business has no assets
- Impact upon the local community in some cases if the business were forced to close

The list is not exhaustive.

- 6.2 Officers making decisions on the recovery of debt will ensure that consideration has been given to issues of this nature and that action taken is proportionate to the situation.
- 6.3 Where decisions are made, the reasons will be documented and the individual or business will be made aware of those reasons.
- 6.4 Where appropriate, individual services will contact each other to discuss action to be taken.

## **7. Debt Advice**

- 7.1 In the process of achieving payment solutions, debtors may look to the Council to provide or encourage obtaining debt advice or even full debt counselling. An appointment can be made for the debtor to come to the debt clinic held once a week at the Customer Service Centre. This can be made using the I connect bookings system.
- 7.2 In this context staff involved in negotiations with debtors are trained to ensure that:-
- Any benefits or entitlements, over which the Council has direct control, are made available or taken up.

- Debtors are directed to other agencies or organisations who offer support or assistance suitable to their needs, including the Citizens' Advice Bureau and Council services such as Welfare Rights and the Housing Advisors.
- Debtors are alerted to the availability of other benefits generally which may alleviate their situation.
- Debtors are aware of both their rights and responsibilities and the consequences of not meeting the required level of payment.

7.3 It is important to recognise however that in this situation the Council may face a possible conflict of interests. While advice given will be as impartial as possible, the Council cannot offer advice which may prejudice recovery of its own debts. If that situation arises the debtor will be advised to take independent advice such as the Citizens Advice Bureau or a registered debt practitioner.

## **8. Use of Bailiffs and Tracing Agents**

8.1 It is standard practice for the collection of certain types of income, such as Council Tax and Business Rates and Penalty Charge Notices for bailiffs to be appointed. In these cases, the Council's constitution covers the procedures to be followed. However, the relevant Head of Service will ensure that codes of practice are included in the contract and are regularly monitored.

8.2 For other debts, debt recovery agents may be appointed, but similar arrangements will apply as in 8.1 above.

8.3 In many cases, debtors will owe money to several different services. Resource Management will undertake to maintain a register of information relating to debtors that have been subject to a trace already. Appointment of tracing agents will be co-ordinated by Resource Management.

## **9. Bad Debts**

9.1 The Council, like any organisation, whose business involves the recovery of monies due, will inevitably encounter "bad debts".

9.2 For the purposes of this policy a "bad debt" is classified as:

### **(I) Money due when there is little or no likelihood of recovery**

Examples of this are:

- The debtor has absconded and current address is unknown
- The debtor resides outside the UK and is unlikely to return.
- The debtor has been declared bankrupt and the debt in question forms part of the bankruptcy proceedings
- A company that has ceased trading
- The debtor has died and there is insufficient equity in the estate to cover the debt

- A report has been received, for example from a bailiff, that there are no effects available for distraint and there is no income.
- Where there is insufficient evidence, or no evidence has been provided, for court instructions to be considered.

## **(II) Money due where it is uneconomic or inefficient to recover the sum due**

Examples of this are:

- A small balance outstanding.
- A balance outstanding where the expenses of recovery in terms of fees, staff time and other charges, balanced against the likelihood of recovery (including all additional expenses and charges) outweigh the prospect of full or partial success.
- Where enforcement of the debt involves an arguable point of law and for that reason enforcement action could fail, with the imposition of costs or charges upon the Council.

## **(iii) Money due where the Council does not wish to pursue recovery because the circumstances of a case would attract well-founded adverse publicity or public reaction, or the concept of natural justice would be compromised**

Examples of this are:

- A long period of time before the debt was brought to the notice of the individual concerned (Council procedure should prevent this from occurring)
- Incorrect information or advice being given by a person within the organisation, again the Councils procedure should prevent this happening.
- The individual being entitled to help or assistance with the debt, which are no longer available, but would have cancelled or reduced the debt had they been granted or applied for at the time the debt occurred or was created.
- Where there is insufficient evidence or where no evidence has been provided, for court proceedings to be instigated.

It should, however, be noted that the examples listed are not exhaustive, and are not absolute or definitive classifications.

All decisions on individual debts are decided on the circumstances that exist, at the time.

Where unusual circumstances exist, decisions will have to be referred to Heads of Service, or portfolio holders, but should be within the spirit of the Debt Management Policy.

- 9.3 The Council will make suitable and adequate provision for the incidence of bad debts in its accounts to accord with Chartered Institute of Public Finance and Accountancy (CIPFA) recognised best practice and Audit Commission recommendations.
- 9.4 The policy of the Council is to minimise the incidence and impact of bad debt and it will use all means at its disposal to achieve this objective.



- 9.5 Those debts will be identified in the Council's accounts. This is to ensure that accurate records are maintained, which reflect recoverable revenue, and both accounting and statistical information, which may be used for reporting and management purposes.
- 9.6 Immediately a bad debt is identified it will be written off promptly, to preserve and maintain the principle of accurate and up to date information.
- 9.7 All write-offs must be processed according to the Council's constitution,
- The appropriate authorisation must be obtained for the transaction. Requests for authorisation must be made in writing using the standard investigation form provided by Resource Management.
  - Authorisation for a write off includes the responsibility to ensure that all appropriate methods of recovery have been considered or used, suitable research has been undertaken, the logic used to reach any conclusion is sound, and the circumstances and evidence are appropriately documented and sufficient.
  - There should not be any delay completing the write-off once authorisation has been obtained.

The cumulative total of debts written off will be monitored by the Income Manager to ensure that the incidence of bad debt remains consistent with the Council's estimates and projections. Periodic checks will be made to ensure that authorised write-offs equal cumulative total within the Council's systems and that the correct procedures are being followed and work is to the appropriate standard.

***Debts written off do not close the Council's intention to recover or to resurrect the debt, if further information comes to light.***

The Council will maintain a record of significant bad debts which will be regularly reviewed against ongoing changes to resident's accounts and other records.

The Council has a strong commitment to eliminate fraud and other activities which impact upon the public purse. Where debts have deliberately or unwittingly created a situation whereby there is perception of gain from the outcome, the debt concerned, subject to any legal constraints, will be resurrected and recovery recommended.

## **10. Complaints and Errors**

- 10.1 Errors or mistakes made in the process of collecting monies and revenue due to the Council will normally be resolved using the Council's established complaints process.
- 10.2 However, in the process of enforcing payment of outstanding debts it is possible that facts, unknown at an earlier stage but which nullify or influence the situation only, emerge after proceedings have been taken or have been completed.

In the event of that situation occurring the Council will take appropriate action to remedy the situation as far as possible.

- Proceedings will be stopped immediately
- The debtors account will be noted to reflect the revised situation
- Where appropriate the Court involved will be advised

- 10.3 Although the Council will make every effort to resolve a misrepresentation of the true situation, some issues can only be resolved by reference to the Courts.

## Routine Actions for Debt Recovery

### **Standard Enforcement Actions for Housing Benefit Overpayment**

Where benefit overpayment recovery is not possible from existing benefit payments the following standard procedure is used:

- An invoice is sent
- 28 days later a reminder is sent
- 14 days later a final notice is sent
- 14 days later a pre-legal letter is issued
- Contact is attempted either by telephone or by a visit by an appointed Collection Agent
- 28 days from the pre-legal letter “an order” is sought from the court
- 28 days later a County Court Judgement is sought

Court Bailiff’s are used where appropriate to collect money subject to a Court Order or County Court Judgment.

Collection agents will be used prior to County Court Action.

### **The Invoice**

The benefit officer will select which party the invoice will be sent (claimant or landlord)

### **The Notifications**

*Invoice to claimant and entitlement continues.*

A deduction from the claimant’s weekly Housing Benefit shall be set at standard deductions allowed within the regulations. The claimant will receive notification that the overpayment will be recovered by weekly deductions from ongoing benefit entitlement and clearly state the amount of the deduction. The landlord’s notification should be amended to clearly state that we are to recover the overpayment from the claimant by weekly deduction from the claimant’s entitlement.

*Invoice to Claimant, entitlement continues and another overpayment is already being recovered.*

Oldest overpayments are always recovered first.

Any newly created Invoice will be set as 'In Recovery' to ensure the overpayment is collected by weekly deductions from ongoing benefit once the previous overpayment is recovered.

The claimant's system-generated notification will confirm that the new overpayment will be recovered by weekly deductions from the claimant's ongoing benefit entitlement after the existing debt has been recovered, whilst still clearly stating the amount of the weekly deduction.

The landlord's notification should be amended to clearly state that we are to recover a further overpayment from the claimant and that this will be by a weekly deduction from the claimant's entitlement, clearly stating the amount of the deduction, and the revised total of overpayments

### *Invoice to claimant and entitlement ceased*

A system-generated notification and Invoice will be sent to the claimant.

The landlord's notification should be amended to clearly state that we are to recover the overpayment from the claimant.

### *Invoice to landlord*

A system-generated notification and Invoice will be sent to the landlord.

The claimant's notification should be amended to confirm that we are to recover the overpayment from the landlord.

## **Discretion to reduce the recovery rate**

Colchester Borough Council will have regard to any special health or financial circumstances of the claimant when deciding the level of deduction to avoid undue hardship to the claimant or their dependants.

A member of the Income Management Team or Benefit Officers will make these decisions.

## **The recovery cycle**

All overpayments created will have an **Invoice** sent regardless of whether or not there is ongoing benefit. Appeal rights and full details of how to pay are on the reverse of the Invoice.

If the Invoice is not paid in full or no agreement is made a **Reminder** will be issued after 28 days have passed. This time delay is to allow for appeals, which should be made within one calendar month of the overpayment being created. The Reminder states that failure to pay or make an arrangement may result in action being taken in a County Court.

If no payment or arrangement is made after the Reminder is sent a **Final Notice** will be issued 14 days after the Reminder. The Final Notice asks for payment or an arrangement to be made within 7 days or action may be taken which could result in a **County Court Judgement**.

Any agreements made, including claw-back from on-going benefit, will automatically suspend the recovery cycle.

The Income Management Team will make agreements for those overpayments that are not being recovered through claw-back.

If any agreement comes to an end the recovery cycle will automatically click back in.

## **Post final notice recovery action**

If no payment or arrangement is made within 14 days of the Final Notice the recovery stage will become **Pre-legal** and a letter will be sent to inform that further recovery action is being considered which may result in a County Court Judgement.

If no response is received to the pre-legal letter within 14 days further action will be considered –

- Overpayments under £50 will be put forward for write off by the Overpayments Team as uneconomic to pursue. Court costs for these overpayments would add 60% or more of the total debt, and the time taken to pursue these would not be efficient or cost effective.
- Overpayments over £50 will be checked by the Income Management Team. They will consider the size of the debt, the age, health, financial circumstances and whereabouts\* of the debtor,

and make a decision whether to take further action or put the overpayment forward for write off.

if the whereabouts is unknown checks will be made on the Local Taxation and Housing systems, CIS, locta, Experian and Land Registry to try to trace a forwarding address.

- The Income Management Team will consider whether recovery can be made through deductions from DWP benefits.
- The Income Management Team will consider sending the case to a collection agent
- The Income Management Team will make use of landlord '**blameless tenant**' recovery in cases where the debt is a landlord overpayment and that landlord has other tenants receiving Housing Benefit.
- The Income Management Team will check Local Taxation and Housing records to see if the debtor has other debts with the Council and try to arrange a **Debt Clinic Appointment**.
- If no payment or arrangement is made following all of the above, papers will be prepared by the Income Management Team for **County Court**. The application to the Court needs to be made on the **County Court Form N322A** and must include a **witness statement** (statement of truth), a **copy of the notification letter** advising of the overpayment, and a **copy of the original Invoice**.
- The prepared papers will then be passed to the Quality Assurance Officer and the Income Manager to be checked thoroughly to ensure that the overpayment is correct and should be recovered. These officers must be **duly authorised** and will be responsible for signing the '**statement of truth**'.
- Once a month any authorised applications will then be filed in the **County Court** at a cost of **£** each. This cost and any cost associated with serving the document will be added to the total debt and the debtor will be responsible for paying this too.
- Once an **Order** is granted a copy of it will be sent to the debtor and to Colchester Borough Council.
- If the overpayment and costs are then paid in full **within 28days** the Order will be shown as satisfied and wiped out. If it is not paid a **County Court Judgement** will effect the debtor's credit rating for 6 years. A letter will be sent explaining this and detailing what other methods of recovery can now be used.
- After 28 days the following **enforcement procedures** can be considered :-
  - a **warrant of execution** authorising a bailiff to seize and sell goods
  - an application for an **oral examination** meaning the debtor is required to attend Court for questioning on their means to pay
  - an **attachment of earnings order**
  - a **third party debt order** which requires a third party such as a bank to pay the debt owed
  - a **charging order** which attaches a legal charge to the land or property of the debtor so that when that land or property is sold the debt is recovered from the proceeds
  - an **application for bankruptcy**

All of the above will add additional costs to the debt.

When deciding on the next course of action the Overpayment Team will consider the size of the debt and the claimant's circumstances.

In most cases an **oral examination** or **attachment of earnings** will be the most appropriate way in which to proceed and the Income Management Team will be responsible for making this decision. Any other method must be agreed with a Team Leader or Manager.

**Discretion not to recover (write off)**

Under section 75 of the Social Security Administration Act 1992, every Local Authority has discretion in deciding whether to recover a recoverable overpayment.

However, the regulations clearly state that a decision to recover must be separate from the decision that an overpayment is recoverable. Colchester Borough Council has discretion in each case to decide whether or not to recover and like all discretionary powers the circumstances of each individual case must be considered.

**Write off procedures**

(Please see Appendix E)

**PROCEDURE:** *Rent Management Service – Sequence of Recovery Actions*

**NUMBER:** A/2

**ISSUE DATE:** Revised June 2011

*The time scales follow how this process is set up on Academy. Actions should be taken in sequence quicker than this if circumstances show that the customer is not responding to the support offered.*

#### **1 week's arrears**

A letter (**ARR01**) is sent to each tenant separately by the Assistant Housing Officer (AHO).

#### **2 weeks' arrears**

AHO is to make personal contact with the tenant either by telephone or a home visit to discuss payment.

Remember to check for an **A** (advisory note) on Academy and any issues that may be covered in the Disability Discrimination Act. Or where the tenant may have a mobility, language, sight, mental health or other needs and an appropriate communication method should be used to suit the needs of the tenant. For example the tenant has a visual impairment then a phone call or visit would be more appropriate. Consideration should be given to having all correspondence produced in large print. **For customers who do not use English as their first language an interpreting or translation service should be used.**

The aim is to encourage payment in full or to set up an installment plan and to maximise income by offering benefit advice. When an agreement is made this should be confirmed in writing to the customer (**ARR81**)

Every effort must be made to make personal contact with the tenant at this early stage to establish a good customer relationship, to provide advice and support to prevent the arrears increasing. An assessment of the tenants needs should be made and customers should be signposted to any relevant support agencies.

Tenants should be encouraged to complete a data sharing consent form so that information can be shared with support agencies so that support to sustain the tenancy can be arranged as soon as possible.

#### **4 weeks' arrears – individual letters to each tenant**

Community Housing Officer (CHO) should contact the tenant to arrange an appointment to serve a Notice of Seeking Possession and to encourage full payment of the debt; or agreeing an instalment plan. See Procedure Note A/5 "Deductions from DWP". Remember **A**.

#### **5 weeks' arrears Notice of Seeking Possession (earlier if agreement broken)**

If all attempts to contact the tenant have not achieved either payment in full or an instalment plan then a Notice of Seeking Possession (**ARR06**) must be served on each tenant separately. When the Notice of Seeking Possession is served, an interview **must** be carried out.

An income and expenditure sheet (**ARR07**) will be completed with the tenant. An agreement to pay the full amount or an Instalment Plan will be entered into for the repayment of the arrears. Where appropriate a referral will be made to the CAB where there are multiple debts. It is important that the Notice of Seeking Possession is served in person to enable a thorough interview to take place. If the tenant is not at home when the Notice is served a calling card will be left requesting contact. Remember **A**.

If the Instalment Plan is broken the next recovery stage must be taken.

**Only in exceptional circumstances will the Notice of Seeking Possession not be served for example:**

- The tenant has made and is keeping to an Instalment Plan.
- Where the CHO is confident that a housing benefit claim will succeed and clear the arrears.
- The Housing Manager (HM) approves exceptional circumstances which are noted on diary pages.
- The debt is below £500 and payments are being made to clear the account

### **10 weeks' arrears** (*i.e. once the 28 days of the notice have expired*)

CHO to undertake a pre court interview to advise the tenant of forthcoming action to request court hearing and give the tenant an opportunity to clear the account quickly. A check should be made of the tenant's circumstances to ensure they have not changed since the Notice of Seeking Possession was served. No further arrangement to pay should be made by the CHO at this stage. Remember **A**.

### **11 weeks' arrears - individual letters to each tenant**

Upon receipt of the pre court checklist from the CHO the HM will contact the tenant by telephone or standard letter (**ARR27**). The HM will review the circumstances with the tenant & advise the CHO & CBC legal representative if a court hearing has to be requested via PCOL and the type of order required. Remember **A**.

- This will be done as soon as possible after 28 days following the date entered on paragraph 4 from the date the NSP was served.
- Where no satisfactory agreement has been made.
- Where one agreement has been broken.
- Where you cannot get payments direct from the DWP.

**Unless: Your manager approves exceptional circumstances, e.g. there is written confirmation from Benefits that an HB appeal is outstanding.**

The Councils Legal Representative is responsible for requesting the hearing via PCOL where possible. The CHO will update the legal screen on Academy upon receiving notification from the CBC's legal representative of the hearing date via an outlook calendar invite.

CHO will send letter (**ARR10**) to each tenant separately to confirm that a court hearing has been requested.

The CHO will continue to make efforts to contact the tenant either by telephone or visit and encourage the tenant to pay as well as providing appropriate advice and support and recording all attempts. Remember **A**.

All reports of contact prior to the court hearing should be reported to the Councils Legal Representative.

### **14 days before the Court hearing**

The Community Housing Officer will undertake a pre arranged home visit. Letter (**ARR20**) will be sent to each tenant (this letter states the date of the court hearing, confirms the rent charge, the arrears balance, the housing benefit situation and the type of order being sought) a rent statement will also be enclosed. The Community Housing Officer will update and note any change in the tenant's circumstances on the tenant's income and expenditure sheet and advise the Councils Legal Representative. The tenant should be encouraged to attend the court hearing.

### **After the Court Hearing**

Following the Court Hearing the Councils Legal Representative will notify the Community Housing Officer of the outcome of the Hearing. The CHO will update the computer system to reflect the court decision. The court costs should be entered onto the tenant's sub-account. The CHO will write to each tenant advising them of details of Court Hearing and terms.

### **Breach of Postponed possession orders**

Within two weeks of the customer breaking a term of the court order each tenant must be sent a letter advising that an application is being made to the Court to ask for a date for Possession to be set. Tenant is given 14 days to reply to this letter (**ARR28**) it should be sent with addressed reply envelope and rent statement. A copy of this letter and any reply should be sent to the Councils Legal Representative when requesting a date for possession is set. Once date is set by the Court then a Warrant can be requested / applied for.



**If an Outright Order is granted the following will apply:**

#### **Outright orders forthwith**

Community Housing Officer will complete the Possession Warrant request with immediate effect. The Councils Legal Representative will apply for warrant and inform Community Housing Officer of date. Community Housing Officer to continue to monitor, e.g. abandoned property.

#### **Outright orders suspended (for 7, 14 or 28 days)**

If Outright Order is obtained then CHO should write to each tenant separately (**ARR23**) to invite pre-eviction interview. (See below)

#### **The purpose of the Pre-eviction interview is:**

- To ensure that all the tenants are aware of the situation and the consequences of not catching up with the court order quickly (not applicable for Outright Orders).
- *To check that there has been no change of financial circumstances – consider applying for a variation of the court order if there has been.*
- To explain that if an Outright Order has been granted that an eviction warrant will be applied for unless the tenant(s) can clear the rent arrears plus court costs.
- To advise the tenant that they have the right to appeal against the warrant and to seek independent legal advice from a solicitor, CAB, Shelter or Homechoice Shop.

#### **Preparing for the Pre-Eviction Interview**

CHO will prepare the pre-eviction checklist (**ARR29**). The ARR07 will be used again to check there has been no significant change in finances. *Remember A.*

#### **Suspended Possession Order – within two weeks of breach of court order**

**Unless** with discussion and agreement of the Housing Manager it is felt that due to **exceptional** circumstances this action is not appropriate, the following procedure should be followed:

A pre-eviction appointment will be arranged by the CHO. A letter (**ARR23**) will be sent to each named tenant on the rent account (they are no longer secure tenants) separately for an interview at the tenant's home.

Advice will be given to the customer to seek independent legal advice such as Citizens Advice Bureau, Home Choice or Shelter. The Community Housing Officer will record the interview on the Pre-Eviction Checklist (**ARR29**) and the customers should be encouraged to complete a Data Exchange Consent Form (**HD091**).

Only in exceptional circumstances will the customer be offered one "catch up" arrangement, in agreement with the Housing Manager, where the tenant is behind on the order by less than £500; this would need to be re-paid within 3 months. Where there has been a change of circumstances a variation order may be considered, after a further investigation has been made into the customer's income. (CHO to send "catch up" letter (**ARR24**) to confirm arrangement with a copy of the catch up agreement (**ARR25**).

Where the tenant is behind by more than £500 **no arrangement** will be made; customers are expected to pay the entire balance or bring the court order back into line immediately, to prevent eviction action being taken. If the tenant fails to pay the CHO should proceed to next stage and prepare Possession Warrant Request (see below for instructions).

#### **Within 2 weeks of breach of the court order**

The CHO will discuss with the HM whether to commence the pre-eviction process. This will be appropriate where:

- The tenant is in breach of a "catch up" agreement.
- A variation order with a money judgment is not appropriate.
- There are no exceptional circumstances.

- There is no Housing Benefit outstanding: to be confirmed by contacting the Landlord Liaison Officer.
- Direct deductions from the tenant's benefit are not applicable.

### **Possession Warrant Request**

Referrals should be made in writing by email, fax or letter to all relevant support agencies to let them know that the eviction is to go ahead and asking if there are any circumstances we need to be aware of i.e.

- GP (**ARR26**) together with copy of data exchange consent form.
- Social Services (**ARR30**) include copy of data exchange consent form.
- Probation (**letters ARR28**) together with copy of exchange consent form.

If this is appropriate the pre-eviction checklist (**ARR29**) and Possession Warrant Request including Bailiff Risk Assessment Form will be prepared by the CHO. This will then be passed to the Housing Manager. If the recommendation to apply for a warrant is authorised by the Housing Manager a letter (**ARR83**) will be sent by the Housing Manager enclosing a rent statement to each customer.

The HM will then ensure that:

- Possession Warrant Request is sent to the Councils Legal Representative and Colchester Borough Councils Housing Options Team.

Only in very **exceptional** circumstances, with the agreement of the HM, will a further agreement be entered into. Customers can only avoid eviction by paying the entire balance, or bring the court order back into line immediately, or apply to County Court themselves to appeal against the warrant once it is issued. Advice can be given about seeking independent legal advice either with the Citizen Advice Bureau, Shelter Housing Aid or Colchester Borough Council Housing Options Team.

When the final order for possession has been made the Court Officer is responsible for arranging the eviction. The CHO is responsible for undertaking a home visit prior to the eviction taking place. See procedure note **A/8 Eviction**.

### **Suspended Warrant**

Where the tenant has breached a suspended warrant the CHO should email the H M and request that a warrant is re-instated. The email should state the reasons why the request is being made and what contact has been made with the tenant. The HM will review the case and advise the CHO and Councils Legal Representative if the warrant is to be re-instated. If agreed the CHO will advise the tenant & all relevant support agencies that an application is being made. The Councils Legal Representative will arrange the eviction date and advise the relevant officers in the Councils Housing Options team of the date and circumstances of the tenant/s being evicted.

**Former Tenant Arrears**

Number : A/11

Issue Date : (revised) August 2008

**1. PURPOSE OF PROCEDURE**

- 1.1 The purpose of the procedure is to maximise the recovery of debt from former tenants and to ensure that every effort is made to recover former tenant arrears.

**2. RESPONSIBILITIES**

**2.1 Rent Collection Officer**

It is the Rent Collection Officer's (RCO) responsibility to follow these procedures in order to recover Former Tenant Arrears (FTAs) which have accrued at properties within the borough.

**2.2 Rent Management Team**

The Rent Management Team, including Community Housing Officers (CHOs) and Assistant Housing Officers (AHO's) are responsible for taking every opportunity to obtain information which may be useful in the recovery of any subsequent FTAs. Any opportunity to reach an arrangement before termination for the payment of arrears should be taken.

**3. STANDARDS**

- 3.1 All contact with former tenants or their representatives whether by telephone or mail should be courteous but robust.
- 3.2 Nationally agreed guidelines on the payment of non-priority debts in cases where individuals are in receipt of income support, job-seekers' allowance or housing benefit should be followed.
- 3.3 Where enquiries are being made to the estate of a deceased former tenant, an approach appropriate to the sensitivities of the family may be required whilst maintaining procedural requirements in attempt to recover public monies.

## 4. PROCEDURES

### 4.1 Before the Tenancy is Terminated

In most cases other than eviction or abandonment, notice will be given by the tenant which will allow details of a forwarding address of the person responsible for the debt to be obtained. In cases of eviction, the CHO will attempt to obtain a “care of” contact address and complete correctly the relevant field on Academy.

### 4.2 Seeking payment

#### Forwarding Address Available

- 4.2.1 If the whereabouts of the tenant themselves, next of kin, personal representative or other individual responsible for the debt is known, a letter requesting immediate payment should be sent within a fortnight of termination in a style appropriate to the circumstances (Academy Letter PFT1?ARR53). Telephone contact numbers should also be used to prompt a positive response from the former tenant.
- 4.2.2 If the former tenant contacts us but is unable to pay in full, an arrangement form will be sent, to be completed, signed and returned by the former tenant. This will detail the agreement to pay the debt and should be kept on file by the Rent Collection Officer, the terms of the agreement being entered onto the “arrangement screen” on Academy.
- 4.2.3 If no payments or arrangement is made following the first letter, a second letter will be sent out within 3 weeks requesting payment and explaining the next step being referral of the matter to Debt Recovery Agents (Academy Letter PFT2/ARR54).
- 4.2.4 If no payments or arrangement is made following the second letter, the case will be referred to Debt Recovery Agents within 4 weeks as in 5.4 (below).
- 4.2.5 If the arrangement is not adhered to, a letter will be sent out within 2 weeks, stating that the case will be referred for collection (4.4 below) if payments are not received (Academy Letter “FTA Legal Recovery”/AAR51).

### 4.3 Referral for Tracing

#### Forwarding Address Unavailable

- 4.3.1 If the whereabouts of the tenant is unknown, and the debt is under £50.00, the debt will be submitted for write-off as it is uneconomical to pursue the matter further.
- 4.3.2 If the whereabouts of the tenant is unknown, and the debt is £50.00 or more, an Experian check will be undertaken by RCO and details of either a positive or negative trace will be recorded. Where a positive trace has been achieved the RCO will update the computer system and start the appropriate recovery action. Where the trace is negative the tenants details will be added to a tracing request and forwarded to the collection agency for a further trace.
- 4.3.3 Invoices for charges relating to successful traces will be forwarded on by the RCO to the Administration Team.

4.3.4 In cases which have been referred for collection by Debt Recovery Agents (under procedures 4.4 below) but have been returned with the advice “debtor absconded”, cases will be submitted for tracing if the debtor has not already been traced.

4.3.5 Following a successful trace, a case will be re-referred for collection (if the address is different) or referred to Legal Services, Colchester Borough Council, for legal recovery.

#### **4.4 Referral for Collection**

4.4.1 If the whereabouts of the tenant is believed to be known, but payments have not been made despite efforts taken in 4.2 (above), cases will be referred direct to Debt Recovery Agents for collection within 4 weeks of the latest appropriate action. Cases will be referred for collection on a monthly basis.

4.4.2 Debt Recovery Agents will pay Colchester Borough Homes all monies collected with a report on a monthly basis. The RCO will pass all invoices for collection charges to the Admin Team.

#### **4.5 Referral to Legal Services, Colchester Borough Council**

4.5.1 Where the Debt Collection Agents have been unsuccessful in recovering the debt, each case should be assessed individually to decide whether it is appropriate to take legal action.

4.5.2 Where the former tenant is believed to be working and employer details are known, or it is known that the former tenant has significant assets (e.g. owns their own home), the outstanding sum should be treated as a sundry debt and recovery referred to Legal Services for legal action. The action that may be taken may include an Attachment of Earnings Order or a Charging Order against property. Alternatively, a money judgment may be obtained and enforced.

4.5.3 Where a money judgment or suspended money judgment has already been recorded against the debtor, cases will be referred direct to the Legal Services team of Colchester Borough Council with instructions to enforce.

4.5.4 Where there is no knowledge of the former tenant's employment or assets, and where it is considered uneconomical to pursue the debt further, the debt should be referred for write off.

#### **4.6 Deceased former Tenants**

4.6.1 On the death of a tenant, CHO's and AHO's shall make every effort to confirm the name of the next of kin, executor or solicitors handling the estate, if applicable, and enter these details onto Academy. Discretion may be exercised in regard to the early termination of a tenancy where there is vacant possession but where a Death Certificate is unavailable due to unavoidable delay, e.g. because of an inquest. This step may be important in preventing the accumulation of arrears prior to actual termination.

4.6.2 The RCO shall pursue the estate of a deceased former tenant by sending Academy letter “FTA Bereavement LR1” (ARR55) where the debt is £25.00 or more. A second letter, “FTA Bereavement LR2” (ARR56) will be sent if there is no reply after 2 weeks.

4.6.3 Cases will be submitted for write-off where : (a) there is written confirmation that there is no estate, (b) there is no reply to letters sent, (c) the debt is under £25.00, (d) no contact details can be obtained.

#### **4.7 Write-off Procedures**

4.7.1 When a case has reached a stage where it is no longer appropriate to continue to pursue the debt, it should be referred for write off without delay. The RCO will prepare schedules of cases to be written off on an Excel spreadsheet on a monthly basis.

4.7.2 Schedules will be checked by the Assistant Housing Manager, then the Director of Housing Management Services and then passed to Colchester Borough Council’s Head of Resource Management for final authorisation. Once the write-off schedules have received final authorisation, the RCO will pass them to the Business Finance Team for processing.

4.7.3 Debts in excess of £5,000 can only be written off with the approval of Colchester Borough Council’s Portfolio Holder for Communities. In these cases, individual reports will be prepared by the RCO and submitted to the Head of Resource Management, Colchester Borough Council.

4.7.4 Should it become possible to recover former tenant arrears previously written-off, the debt should be written back on to the system and pursued as above.

#### **5. RECORD-KEEPING**

5.1 The RCO will keep comprehensive records of all referrals for tracing and collection, results, invoices and statistical reports. All action will also be recorded on Academy.

#### **6. MONITORING AND CORRECTIVE ACTION**

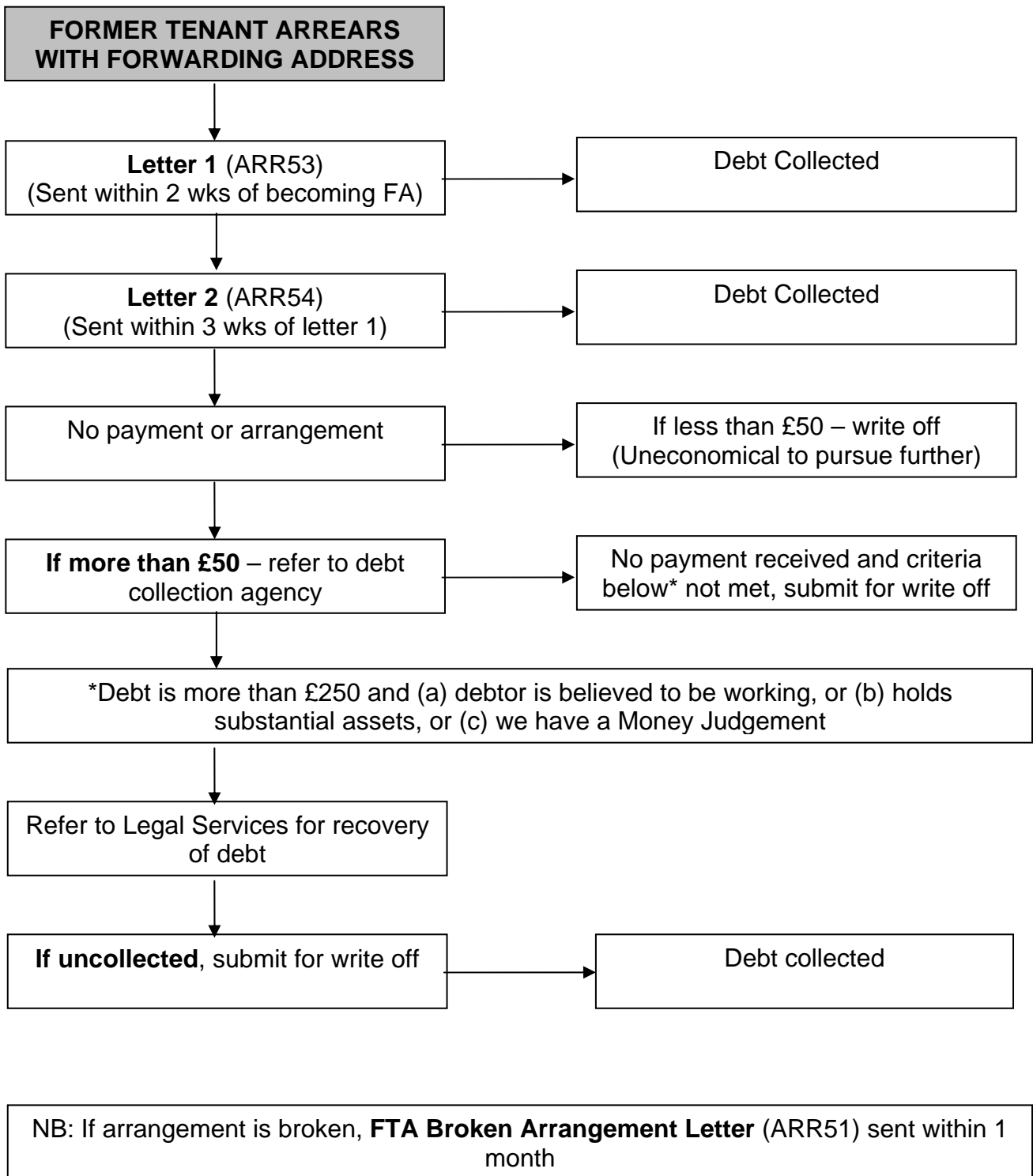
6.1 The Assistant Housing Manager should check on a regular basis that the procedures are being followed.

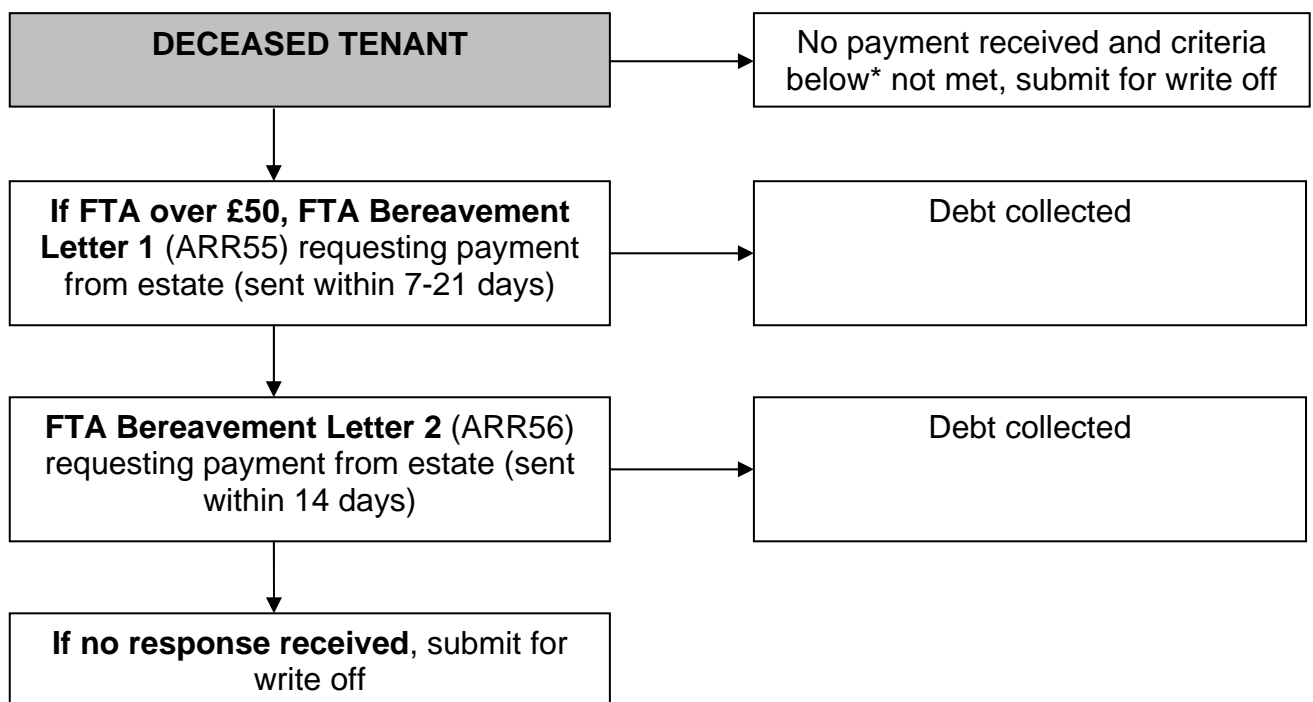
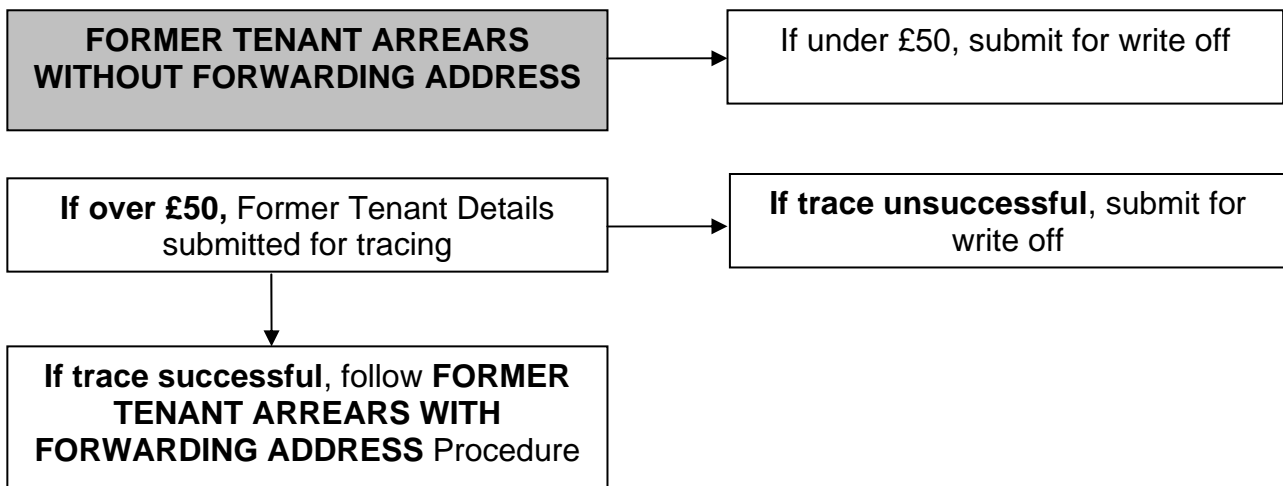
6.2 Quarterly reports of collection, tracing and write-off figures should be submitted by the RCO to the Assistant Housing Manager.

6.3 In all cases, Academy should be updated according to Latest Action taken.

6.4

## Procedures for Former Tenant Arrears







## Routine Actions for Debt Recovery

### Standard Enforcement Actions for Sundry Debt

- Invoices raised with appropriate payment terms.
- 30 days after payment due date first reminder sent.
- 14 days later final settlement sent threatening court action.
- If confirmation is given from the issuing department the case can be passed to the Collection Agent.
- 7 days later evidence is sought from the issuing department and passed to Legal Services.

### **Legal Services Actions:**

- Upon receiving instructions, acknowledge instructions and send standard letter before action giving debtor 7 days to pay, failing which Court proceedings to be commenced.
- If no response received to letter, issue Court proceedings within 14 days.
- If no Defence filed, enter default Judgement 14 days after deemed service date by Court.
- Once Judgement entered, give attention to means of enforcement.
- If Defence filed, seek instructions on Defence and file allocation questionnaire with the Court within time specified by Court.
- Once Hearing date obtained, liaise with instructing department for witness attendance and prepare case.
- Attend at Hearing with witness(es) and notify instructing department of result of Hearing, setting out breakdown of Judgement amount.
- Thereafter consider within instructing department means of enforcement (first step, probably an Oral Examination).
- Proceed to enforce Judgement debt.

## Routine Actions for Debt Recovery

### Standard Enforcement Actions for Council Tax

A bill is issued to all council taxpayers advising of payments over 10 months, April to January, or over a reduced period as the year progresses or, if requested, over another time period (say quarterly).

Where a taxpayer fails to pay an instalment a reminder notice is issued allowing 7 days to make payment.

Where the first reminder is paid up and a need arises later in the year to send a further reminder a “second reminder” is sent. This again asks for payment in 7 days but makes it clear that no further reminders will be sent before summons action is taken.

Where either reminder is in default a decision will be made regarding issuing a final notice before proceeding to summons. Where a taxpayer has vacated a property and failed to pay the closing bill a final notice will be sent before a summons is issued.

Where a summons is issued the taxpayer is summoned to appear in court and give reasons why a liability order should not be made. In the event that the summons is paid with costs accrued to date the matter is closed and does not proceed to court.

Where on the day of the court the summons remains unpaid the Council requests from the Court that they “make a Liability Order” in respect of each unpaid debt.

The Council or it's agent is then required at this point to issue a letter (known as the 14 day letter) advising the taxpayer that unless payment is made within 14 days further enforcement action will be taken, which may result in the use of bailiffs. At this point an official request for information is also sent, requiring the taxpayer to make known information such as their employment. This information is used when provided to determine whether distress with a bailiff or an attachment of earnings is the best way to collect the debt.

Where an attachment of earnings, fees or benefits is considered appropriate arrangements are made to recover the money due by this method.

Where it is considered that the bailiffs should be used to collect the money the liability order is forwarded to the bailiff for them to execute. The actions the bailiff must take are contained in the bailiff contract held in Resource Management and monitored by the Income Manager. The bailiff contract requires a bailiff to first attempt to come to agreement with the taxpayer before he can levy distress, as this is considered to be the last resort for him to collect payment.

Where the bailiff is unable to make arrangement or levy distress they are required to return the liability order to the Council nulla bona (no effects).

At this stage further contact is made with the taxpayer to encourage payment and further attempts to collect payment using attachment of earnings, charging orders or bankruptcy are considered.

Where payment cannot be made because the taxpayer has absconded or there is no ability to pay the debt in a reasonable time (between 2 and 5 years depending on the level of debt and circumstances) a request to write-off the debt will be made. However, where the debt has not been paid as a matter of principle or in the circumstance of can pay/ won't pay a warrant of commitment may be sought.

## **Write Off Procedure for Council Tax, National Non Domestic Rates and Housing Benefit Overpayments.**

This procedure will look at debts to be considered for write off from returned documents for which no forwarding address can be found.

The treatment for write off is dependant on the size of the debt itself.

If any debt is under investigation as a possible write off the circumstance code “GA” should be used to prevent any further action being taken while tracing action is under way.

### **Debts to the value of up to £5.00**

Any member of the collection division in Resource Management can write these debts off using the system and write off code.

### **Debts over £5.00 and up to £20.00**

A screen print is acceptable showing the amount to be written off. This print must be signed and dated and authorized by a Team Leader or Manager.

### **Debts over £20.00 and up to £100.00**

Detailed system checks are carried out and utility agents contacted. An investigation form to be completed, showing full address, name, stage of recovery and amount to be written off. A detailed report as to reason for write off is completed and any supporting evidence attached to the document. This form is signed by the officer and authorised by a senior officer.

### **Debts over £100.00 up to £5,000**

All above checks to be carried out. Authorised officer to complete a LOCTA search to check for forwarding address and in some cases an Experian Search. If this is unsuccessful the account is passed to a tracing agent co-ordinated by Resource Management. No further action is taken until a reply is received from the agent. If all searches are unsuccessful all supporting evidence is attached to the investigation form, signed by the proper officer and is put forward for write off. A detailed report is completed, detailing action taken. Each case is looked at in detail. Paying particular attention to the age and size of the debt involved. The Head of Resource Management will sign the completed schedule.

### **Debts over £5,000**

A Council Tax or a National Non Domestic Rate debt over £5,000 to be written off must receive the approval of the Council’s Cabinet Portfolio holder in accordance with the Council’s standing financial regulations.

The background paperwork to the write off will be prepared in the normal way and is passed to the Income Manager. He/she will co-ordinate with Committee Services to have the debt listed at the next available Cabinet Meeting. The summary sheet will be passed to the Head of Resource Management for signing and dating.

The list will then be passed back to the collection team to be written off.

### **Bankruptcy Debts to be written off**

In the event of an individual being made Bankrupt an investigation form is completed and the following points noted:

*Date of the Bankruptcy.*

*The specific County Court or London High Court the order was made.*

*The Court Bankruptcy Order Number.*

*Supporting letter from the Official Receiver, stating there are no dividends to be paid.*

### **Preparing an account for write off**

Once all the appropriate checks have been carried out the accounts can be listed for write off.

Each account over £20.00 should have a completed investigation form and supporting evidence. The forms are passed to the Corporate Debt Team for regular scheduling. The lists are totaled and individually numbered together with all supporting paperwork. The summary of schedules will include the list number, the total value of the individual lists and the number of debts on each list.

The summary sheet will be passed to the Income Manager who will check and counter sign and date the individual lists and summary sheet. This is passed to the Head of Resource Management for signing and dating.

The lists are returned to the officers for write off.

### **General Points to remember while tracing absconders**

It is important to confirm what stage of Recovery the debt is at. The Corporate Debt Team must be made aware of any debt that is with the Bailiff so that appropriate action is taken. Open accounts must be referred to a Team Leader so that the inspector can visit the property to establish current occupiers.

## **Routine Actions for Debt Recovery**

### **Standard Enforcement Actions for Business Rates**

A bill is issued setting out payments over 10 months.

Where payment is not received a reminder/ final notice is issued giving 7 days to make payment of the instalment and advising not to do so will result in the balance of the charge becoming due.

Failure to make the payment as outlined on the reminder/ final notice results in a summons being issued for the whole year's charge.

Any other failure to pay an instalment during the year results in the whole years charge becoming due and a summons being issued for non-payment.

Where a summons is issued this requires the ratepayer to appear in court and defend why payment has not been made or to make payment in full with costs before the said hearing.

Where payment is not made on the summons a liability order is made.

The Council checks for payments and if not paid the account is passed to the bailiff and in the case of sole traders or partnerships follows the same enforcement process as for council tax. In the case of limited companies, Plc's or other organisations the liability order is passed to the bailiff to enforce.

Where the bailiff returns the liability order "nulla bona" liquidation proceedings will be considered.

### **Write off procedure**

Please see Appendix E for the write off process.

## Routine Actions for Debt Recovery

### Standard Enforcement Actions for Penalty Charge Notices

- Penalty Charge Notice issued.
- DVLA enquiry made if no correspondence received or payment received within 31 days.
- Notice to Owner sent if full payment is not received within 31 days of issue.
- Charge Certificate sent and charge increased by 50% if full payment, or representation against Notice to Owner, is not received within 31 days.
- Debt registered at County Court and fees added if full payment is not received within 17 days of Charge Certificate being sent.
- Notice of Debt Registration sent.
- Apply for a Warrant of Execution and instruct bailiffs if full payment or Statutory Declaration is not received within 21 days of Notice of Debt Registration being sent. A Warrant of Execution has a lifespan of 12 months only and cannot be reissued thereafter. If the Council has been unsuccessful in recovering the penalty charge by means of a Warrant within 12 months and wishes to pursue, the Council must ask the Traffic Enforcement Centre (Northampton County Court) for authorisation to prepare another Warrant. Warrants that have been returned from the Bailiff after a period of 6 months because the debtor could not be traced or there are no funds or goods to seize can be sent to other Bailiff companies for collection.

**N. B.** Parking enforcement is carried out in accordance with the provisions and procedures laid out in the Road Traffic Management Act 2004. This means that Colchester Borough Council has to operate within the legal framework. It should be noted that a parking penalty is not a debt until the motorist has exhausted all avenues of appeal.

## Routine Actions for Debt Recovery

### **Standard Enforcement Actions for Mortgages and Shared Ownership Scheme Debts**

#### Monthly

Individual cases will be monitored to ensure that regular monthly payments are received, and reminders sent. Where all or part of the debt is paid by the Pensions Service or the Benefits Division, the receipt of these sums will also be monitored. Whilst standard reminders are available, a more personal approach will often be required.

#### Failure to maintain regular payments

Resource Management will attempt to obtain a meeting with the debtor. Should this not prove possible, or if arrangements are not adhered to, then the following action will be taken.

#### Mortgages

Legal Services will be approached and given sufficient information to allow for the preparation of a possession order to be requested from the District Judge. Whilst Court papers are being prepared, Legal Services will warn the debtor of the implications of non-payment.

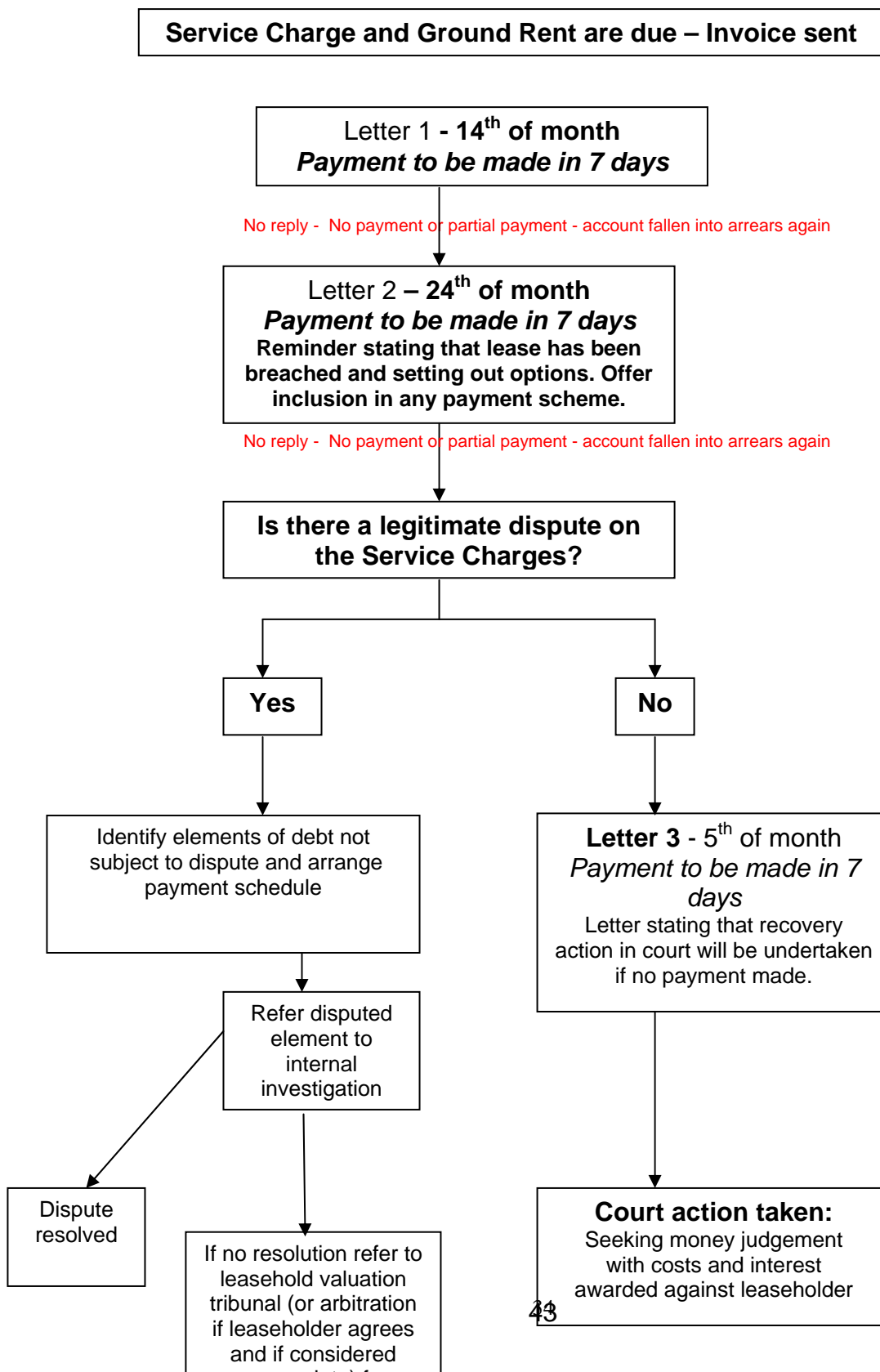
If a possession order is obtained, Resource Management will monitor the arrangement made. Should payment cease, a portfolio holder decision will be required if it becomes necessary to implement the order.

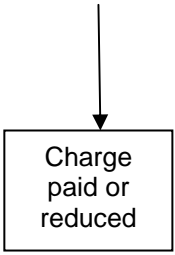
#### Shared ownership cases

Where a mortgage is held on the property, then the lender will be advised that rent is not being paid and that forfeiture proceedings are being considered. If the lender will not make payment on behalf of the borrower, or if there is no lender, a decision will have to be made whether to pursue forfeiture or to attempt to obtain a money judgment for the County Court.



**ARREARS RECOVERY PROCESS**







## Policy Review and Development Panel

Item

20 June 2011

|                |                            |        |           |
|----------------|----------------------------|--------|-----------|
| Report of      | Head of Life Opportunities | Author | Bob Penny |
| Title          | Open Space Events Policy   |        | ☎ 282903  |
| Wards affected | All wards affected         |        |           |

**The Policy Review and Development Panel is invited to review the draft Colchester Open Space Events Policy. Comments from the Panel will inform the further development of the policy before formal adoption.**

### 1. Decision(s) Required

- 1.1 Members are asked to consider the draft Colchester Open Space Events Policy and comment on aspects for inclusion in the version for adoption by the Portfolio Holder.

### 2. Reasons for Decision(s)

- 2.1 It is proposed for the Portfolio Holder for Communities to receive a future report to adopt the Open Spaces Events Policy. To ensure that Members have the opportunity to consider the content of the Policy and to raise comments to help inform the further development of the Policy, panel members are being invited to comment on the draft policy prior to adoption.

### 3. Alternative Options

- 3.1 There is no statutory obligation to adopt an Open Spaces Events Policy but the lack of an adopted Policy creates the potential for variable interpretation leading to event organisers making claims of preferential treatment exposing the Council to unnecessary criticism.

### 4. Supporting Information

- 4.1 An Open Space Events Policy has been in existence since 2007 but has not been formally adopted and is therefore used as guidance rather than reference. It is recommended that the Policy is reviewed and adopted and becomes the reference framework for future decisions regarding the use of parks and open spaces within the Borough.
- 4.2 Previously, approval of events has taken account of basic principles but these have not been formally adopted. The charging policy, although part of the Fees and Charges report approved by the Portfolio Holder on an annual basis, has left some inconsistencies regarding the status of event organisers. This creates scope for event organisers to seek special exceptions which, in the absence of an approved Open Space Events Policy leaves the Council and its officers vulnerable to accusations of favouritism and inconsistency.

## **5. Proposals**

### **5.1 The Open Space Events Policy covers the following topic areas**

Aims and Objectives  
Event Programme  
Permitted Events  
Programme Exclusions  
Charges  
Environmental Protection  
Event Promotion and Programming  
Operation  
Monitoring of Standards and  
Customer Satisfaction  
Licensing  
Insurance  
Health and Safety  
Safeguarding Children and Adults

5.2 Details are contained within the draft policy attached as an Appendix to this report.

## **6. Strategic Plan References**

6.1 To recognise how the Open Spaces Events Policy links to the strategic plan, the objectives of the Events Policy are stated, demonstrating their support for strategic key themes;

- Support and enable cultural, educational and leisure activities which widen access to Colchester's parks and open spaces and increase participation from all sectors of the community
- Encourage activities that enhance the quality of life for visitors, encourage healthy living and promote diversity
- Enable the council to offer parks and open space as venues for events within its financial resources
- Use local products, services and people where possible to encourage active citizenship and promote a positive image of Colchester regionally, nationally and, where appropriate, internationally
- Attract visitors and event organisers to Colchester to bring investment, jobs and prosperity to the local economy
- Promote Colchester as a destination with a strong heritage complemented by a vibrant contemporary culture
- Manage events so as to protect, preserve and enhance the historic and natural environment of our parks

## **7. Consultation**

7.1 Seeking the views of Panel members is the first stage of consultation process. Feedback will be taken in to consideration when preparing the final version of the Policy for adoption. The Policy has formed the basis of guidance for Officers with event organisers since 2007. Event organisers have not been consulted on the attached draft.

## **8. Publicity Considerations**

- 8.1 The events programme in parks and open spaces is a significant contributor to the enjoyment experienced by residents and visitors. It is desirable to offer a wide range of events to cater for all sectors of the community. The Policy sets out which type of event is acceptable and the type of event that would be excluded
- 8.2 A change to the charging policy was introduced in 2010/11 which provided free use of parks and open spaces for registered charities. Events that were arranged by organisations for charitable purposes were charged the rates approved in the Fees and Charges report. All event organisers whether registered charities or not are charged for the hire of any ancillary material or equipment supplied by the Council.

## **9. Financial Implications**

- 9.1 Hire fees and service charges will be levied for the use of parks and open spaces and these fees will be reviewed and approved annually by the Portfolio Holder. Fees for the hire of parks and open spaces and charges for the use of materials and equipment supplied by the Council during the event will be published.
- 9.2 Income derived from event hire fees will form part of the Parks and Recreation Service budget.

## **10. Equality, Diversity and Human Rights implications**

- 10.1 An EqIA will be produced once consultation has been completed and any changes to the draft Open Spaces Events Policy have been considered. It would be premature to complete the EqIA process at this stage whilst the draft is subject to change.
- 10.2 In preparing the future PFH report to adopt the final version of the Open Spaces Events Policy the impact of the Policy on target groups will be considered through the EqIA process.

## **11. Community Safety Implications**

- 11.1 There are no direct community safety issues associated with the review of the Open Space Events Policy. All event organisers will be required to complete application forms which set out evidence of adequate insurance and risk assessments and site safety plans. Site stewarding may also be a requirement depending on the size and content of the event.

## **12. Health and Safety Implications**

- 12.1 There are no Health and Safety implications associated with the action arising from this report

## **13. Risk Management Implications**

- 13.1 There are no Risk Management implications associated with the action arising from this report.



**Events Policy  
for  
Parks and Open Spaces**

CONSULTATION DRAFT

# Contents

|  |           |
|--|-----------|
| <b>Aims and Objectives</b>                               | <b>3</b>  |
| <b>Event Programme</b>                                   | <b>4</b>  |
| <b>Permitted Events</b>                                  | <b>5</b>  |
| <b>Programme Exclusions</b>                              | <b>5</b>  |
| <b>Charges</b>   | <b>6</b>  |
| <b>Environmental Protection</b>                          | <b>6</b>  |
| <b>Event Promotion and Programming</b>                   | <b>7</b>  |
| <b>Operation</b>   | <b>7</b>  |
| <b>Monitoring of Standards and Customer Satisfaction</b> | <b>8</b>  |
| <b>Licensing</b>   | <b>9</b>  |
| <b>Insurance</b>   | <b>9</b>  |
| <b>Health and Safety</b>                                 | <b>9</b>  |
| <b>Safeguarding Children and Adults</b>                  | <b>10</b> |

CONSULTATION DRAFT

# Colchester Borough Council

## Events Policy for Parks and Open Spaces

### Context

#### Colchester Borough Council Strategic Plan.

##### Priorities for action are:

- Addressing young people's needs
- Addressing older people's needs
- Healthy Living
- Community Safety
- Community Development
- Reduce, Re-use and Recycle
- Congestion Busting
- Enable Job Creation
- Affordable Housing

#### Aims of the Events Policy

To provide a clear framework for the consideration, programming and operation of a variety of events in parks and open space to enable a wide range of sporting, recreational, cultural, social and educational opportunities, which enhance the quality of life and address the priorities for action set out in the Council's Strategic Plan.

#### Objectives of the Events Policy

- Support and enable cultural, educational and leisure activities which widen access to Colchester's parks and open spaces and increase participation from all sectors of the community
- Encourage activities that enhance the quality of life for visitors, encourage healthy living and promote diversity
- Enable the council to offer parks and open space as venues for events within its financial resources
- Use local products, services and people where possible to encourage active citizenship and promote a positive image of Colchester regionally, nationally and, where appropriate, internationally
- Attract visitors and event organisers to Colchester to bring investment, jobs and prosperity to the local economy
- Promote Colchester as a destination with a strong heritage complemented by a vibrant contemporary culture



- Manage events so as to protect, preserve and enhance the historic and natural environment of our parks

To meet these aims and objectives, events staged at parks and open spaces in the Borough of Colchester will fall into 5 broad categories:

- Events organised by registered charities for the purpose of raising money for local and national charities
- Events organised by voluntary groups or organisations for the purpose of benefiting the local community and/or raising money for local and national charities
- Commercial events of local, national and international importance or significance that support the aims and objectives of the Events Policy and promote the Borough to a wider audience and encourage visitors to the town.
- Events and activities that aim to enhance the environment of the park or open space, educate users, encourage participation and promote the leisure activities or opportunities available.
- Civic events

### **Event Programme**

- Regular annual or biannual events will normally be given priority but the Council will not guarantee the provision of a site to any particular event or organising body based on previous use alone.
- The Council will give priority to those events that have a record of being well promoted and managed offering a safe and high quality visitor experience.
- Castle Park will be promoted for events of Civic importance and events which promote Colchester regionally, nationally or internationally, or are of wide ranging interest. Organisers of smaller events and activities with minority or local interest will be encouraged to utilise some of Colchester's other parks that are closer to their community
- The Council will aim to achieve a well -balanced programme of events across the Borough's parks and open spaces and minimise disruption to regular users.
- The Council will, where resources permit, support a programme of ranger and volunteer led activities at Castle Park, High Woods Country Park and at other venues which engage local communities and encourage participation, provide environmental education and support tourism and local business.

## **Permitted Events**

Generally to include:

- Civic events
- Sporting and recreational events
- Arts and cultural Events
- Children's activities
- Musical concerts
- Entertainment events
- Firework displays
- Shows, Exhibitions and Craft fairs
- Bona fida Animal Breed Exhibitions or Shows
- Fairs
- Circuses (see Programme Exclusions)
- Drama
- Guided and Sponsored Walking Tours
- Historic re-enactment
- Military Festivals
- Environmental and horticultural demonstrations
- Religious Events
- Political Activities
- Private Hire\*
- Other events not included here as approved by the Council

\* An event to which admission is by ticket only, where such tickets are not on general sale to the public or the subject of general publicity

## **Programme exclusions**

- Any event likely to provoke public disorder
- Any event that includes the use of performing animals, except those which are normally regarded as domesticated in the United Kingdom (i.e. horses, dogs, cats, birds used in falconry demonstrations, caged birds and rabbits) which may be used as an ancillary part of a performance
- Any event that would cast doubt on the integrity of the Council or that the Council believes may be of questionable public morality
- The Portfolio Holder with responsibility for Parks and Open Spaces will have the discretion and ultimate decision on determining whether a proposed event falls within the programme exclusions.
- Mass balloon releases are not permitted

## **Charges**

- Hire fees and service charges will be levied for the use of parks and open spaces and these fees will be reviewed and approved annually by the Portfolio Holder. Fees for the hire of parks and open spaces and charges for the use of materials and equipment supplied by the Council during the event will be published.
- Registered charities may be offered the hire of parks and open spaces for raising money for local and national charities at no charge. Charges will be made for the use of materials and equipment supplied by the Council during the event.
- Non-profit making and local community groups which are not registered charities that wish to hire parks and open spaces for events to raise money for local and national charities will be required to pay the approved hiring fee. Charges will be made for the use of materials and equipment supplied by the Council during the event.
- Income derived from event hire fees will form part of the Parks and Recreation Service budget.
- Organisers of events in Castle Park will be encouraged to sell tickets through the Visitor Information Centre and Charter Hall Booking Office at Colchester Leisure World. Commission on ticket sales is negotiable and these charges may form part of any agreement with the Council to stage an event in Castle Park

## **Environmental Protection**

- The Council shall ensure that event organisers comply with all relevant legislation relating to the control of noise and the protection of the immediate and local environment.
- Organisers will be encouraged to work with local residents and the relevant authorities to minimise the impact of events on the local community. Where considered appropriate by the Council, organisers will be required to inform local residents in advance of major events that may cause local disruption
- The protection of the park environment, wildlife and features will take precedence and will be considered when planning events. Where necessary the Council will secure a bond from the organiser in advance for re-instatements and repairs following events.
- The council does not allow the release of balloons on any sites due to the environmental impact caused by such an activity.

- In the case of severe weather creating very wet ground conditions, the Council reserves the right to cancel the event or require the event organiser to introduce ground protection measures to avoid excessive damage to the fabric of the park or open space. Such requirements will be at the Event organiser's expense. Such requirements may include the close supervision of vehicle movements to minimise damage. The cost of repair and reinstatement by the Council's approved contractors will be charged to the event organiser.
- In the case of severe winds creating dangerous conditions associated with trees on site, the Council reserves the right to cancel the event or require the event organiser to cordon off areas where the public may be at risk. Such requirements will be at the Event organiser's expense.

### **Event Promotion and Programming**

- The Council will publicise park events through the Colchester Visitor Information Centre and its website [www.colchester.gov.uk](http://www.colchester.gov.uk) where possible. The Council will also publicise events on park notice boards and at information points where space permits.
- Promoters and organisers remain responsible for the marketing and promotion of their event and shall be required to make adequate provision for it and comply with the relevant licensing and planning legislation.
- The Council seeks to offer a wide and varied programme of events to the public in meeting the objectives of this Policy. Applications for events in parks and open spaces will be dealt with on a first come first served basis excepting that recurring annual events will be given priority if they are staged on regular dates.
- The Council will advise prospective event organisers of the forthcoming year's events. The Council will seek to avoid a clash of similar events by creating a minimum 4 weeks separation between events of similar character and attraction at the same location.
- The Council will consider events on the basis of those permitted events and programme exclusions as referred to above. References may be required and taken up where the content of an event needs further confirmation. The Council accepts no responsibility for the impact of refusing an event.

### **Operation**

- Event organisers cannot hold an event in the Council's parks and open spaces without the Council's written permission. This permission will be granted at the discretion of the Council and only following satisfactory completion of the Event Application documents. Evidence of adequate insurance and risk assessment will also be required.

- The majority of events are hosted during the period 1<sup>st</sup> April – 30<sup>th</sup> October. Some events outside of this time will also be permitted where the park environment and features can be adequately protected.
- Operating hours for events will be between 9am to 11pm (excluding set-up and set-down). In exceptional circumstances an extension of these hours may be sought from the licensing authority for celebrations on festival days (New Years Eve, Guy Fawkes Night etc.), on civic occasions, or where celebration of a significant local, regional or national event is required.
- Events where admission is charged for entry into a park or part of a park will be permitted. However, the Council will seek to minimise the impact that these events have on regular park users. The Council will encourage organisers and promoters to offer free entry to their events wherever possible.
- Firework displays and other pyrotechnics will only be permitted where they are an integral part of an event such as Guy Fawkes Night, New Years Eve celebrations, Civic Events, Military Festivals, historical re-enactments and certain musical concerts
- The Council will inform local resident associations and park user groups of the event programme for each park and will consider their views during the planning stages for each event. Organisers of larger events will be encouraged to liaise directly with these groups to minimise any disruption or disturbance and limit the impact that their event might have on local communities

### **Monitoring of Standards and Customer Satisfaction**

- Organisers of annual or bi-annual events will be required to monitor customer satisfaction and take any appropriate action at future events. The details of all public consultation are to be supplied to the Council
- Organisers of annual or bi-annual events will be required to carry out post mortems of their events to learn from their experiences and seek to improve on the product being provided and the impact on local residents. The Council may require a clear Action Plan setting out the lessons learnt and the improvements to be incorporated in future years before approving subsequent events.
- No event organiser shall make an assumption that there is any form of guarantee or contract with the Council for continuation of annual events.
- The Council will monitor standards, customer satisfaction and feedback and will liaise with organisers to instigate improvements where appropriate

## Licensing

- In accordance with the Licensing Act 2003, Event organisers will be required to obtain Temporary Events Notices and all appropriate licences and permissions from the relevant authorities, where these are not already provided for under the terms of a Premises Licence.
- The Event organisers will be responsible for ensuring that their event complies with the relevant Temporary Events Notice or Premises Licence. Compliance will be strictly monitored by the Council's Authorised Officer, Designated Premises Supervisor or appointed deputy.
- Organisers, during all licensable activities, shall be required to promote the four licensing objectives:
  1. The Prevention of Crime and Disorder
  2. Public Safety
  3. The Prevention of Public Nuisance
  4. The Protection of Children from Harm
- Organisers shall be required to read, understand and put into practice the Council's Policies relating to Noise Control, the Sale of Alcohol, Proof of Age, Safeguarding Children and Adults, Registered Security and Drugs.

## Insurance

- Organisers will be required to obtain and provide evidence to the Council of Public and Employers Liability Insurance to a minimum value of £5 million.
- This minimum figure is subject to review and may be updated at any time on the advice of the Council's insurers. For some events, the Council may request a higher minimum value
- Promoters and organisers will be responsible for ensuring that all participants and contractors are adequately insured

## **Health and Safety**

Event organisers will be required to provide evidence where required by the Council that they are complying with:

- All relevant Health and Safety Legislation and
- The Council's own Health and Safety Policy and procedures.

## **Safeguarding Children and Adults**

- Event organisers, their employees and contractors will be required to comply with the Council's Safeguarding Children and Adults Policy
- The content of each event shall be considered by the Council and an age limit agreed with the Organiser. These limits will be monitored by the Council and failure to comply with them may result in the closure of the event.
- All organisers and promoters will be required to provide evidence of procedures for dealing with lost children

CONSULTATION DRAFT



## Policy Review and Development Panel

Item

20 June 2011

|                       |                                     |               |                       |
|-----------------------|-------------------------------------|---------------|-----------------------|
| <b>Report of</b>      | <b>Head of Corporate Management</b> | <b>Author</b> | <b>Amanda Chidgey</b> |
| <b>Title</b>          | <b>Work Programme 2011/12</b>       |               | <b>☎ 282227</b>       |
| <b>Wards affected</b> | Not applicable                      |               |                       |

This report sets out the current Work Programme 2011/2012 for the Policy Review and Development Panel.

### 1. Decisions Required

1.1 The Policy Review and Development Panel is asked to:

- (i) Note the current situation regarding the various Task and Finish Groups;
- (ii) Consider the merits of setting up an additional Task and Finish Group to investigate the future of the Magistrates' Courts in the Town Hall;
- (iii) Note the provisional scheduling included in the Panel's work programme.

### 2. Alternative options

2.1 This function forms part of the Panel's Terms of Reference and, as such, no alternative options are presented.

### 3. Introduction

3.1 The Panel's work programme will evolve as the Municipal Year progresses and items of business are commenced and concluded.

3.2 In accordance with usual arrangements, Cabinet members and Heads of Service have been asked to look at likely policy areas that would need to come to the Panel as part of their review or development. Any recommendations which come forward are reported to the Panel for consideration.

### 4. Supporting Information

4.1 By the end of the last Municipal Year the Policy Review and Development Panel had completed a number of very important tasks and received presentations on various interesting and stimulating subjects.

4.2 A number of Task and Finish Groups had been set up by the Panel and details of the current situation of each Group are summarised below:

#### **20 mph speed limit**

At the Annual Meeting Councillors Ford, Hardy, Offen and G. Oxford and Parish Councillor Gili-Ross were appointed to the Group.



This Task and Finish Group and the further work on a structured engagement process was formerly suspended by the Panel in September 2010 pending an announcement from Essex County Council giving clear support for the delivery of 20mph limits.

### **Waste Prevention and Recycling Options Appraisal**

At the Annual Meeting Councillors Cope, Ellis, P. Oxford, Offen, J Young and Willetts were appointed to the Group.

This Task and Finish Group had worked consistently through 2009 concentrating on two particular themes:

- Investigating methods to encourage further participation in recycling including looking at experience elsewhere from the use of incentives, enforcement;
- To further explore the benefits of food waste collection and look at how potentially this could be trialled in the Borough.

Following the outcomes of the Street Services Fundamental Service Review, Paul English, Street Services Group Manager Recycling and Fleet, has assumed the role of lead officer for the Group and he has provided an update for the Panel which is attached at Appendix A. Arrangements are shortly being made to call a meeting of the Group to enable the newly appointed members to get up to speed with some of the issues involved.

### **Older Persons' Accommodation**

At the Annual Meeting Councillors Kimberley, Lewis, Lilley, Mudie, B Oxford and L Sykes were appointed to the Group.

Since this Group was formulated in November 2010 Tina Hinson, Strategic Housing Manager, together with Karen Paton, Strategy and Solutions Project Officer (Supported Housing), have assumed the role of lead officers and work has been continuing to develop an appropriate proposed Terms of Reference for the Group which is attached at Appendix B.

Arrangements are now actively in hand to call a first meeting of the Group with a view to approving the terms of reference and to agreeing a draft work programme.

### **The Future of the Magistrates' Courts in the Town Hall**

- 4.3 More recently a suggestion has been made that the Panel considers setting up a Task and Finish Group to look into the various issues relating to the future of Magistrates' Courts in the Town Hall, including whether the community /members of public have any thoughts as to how it could be used for community usage and benefit. The work of the Group would need to be completed and reported back to Cabinet by September 2011 or very early October 2011.

4.4 The Panel need to consider the merits of this suggestion, however, on the basis that the suggestion is likely to be accepted the Groups Leaders have been asked to consider the appointment of representatives to such a Group on the following basis:

2 Liberal Democrats  
2 Conservatives  
1 Labour  
1 Independent

## **5. Standard References**

5.1 There are no particular references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.

## WASTE PREVENTION AND RECYCLING OPTIONS APPRAISAL TASK AND FINISH GROUP

The Task and Finish Group looked at a wide range of alternative methods of service delivery, levels of performance and costs of schemes in operation elsewhere prior to deciding on four options that would go out to the public via a Borough wide consultation.

A summary of the results of the consultation are set out below.

- The 'Express Your View on Waste' consultation took place between 2 November 2009 and 15 January 2010 (11 weeks). The consultation was then extended for two weeks until 29 February 2010.
- The consultation involved various methods of community engagement including a borough-wide survey, media campaign and a 'launch event' with open discussion.
- A total of 1,171 people responded to the survey either through the Courier or online; 821 of left comments. A further 128 comments were received via the comments slips available at the launch event, Customer Service Centre and Essex University.
- Results from the survey indicate that:
  - 91% of respondents agreed or strongly agreed that the Council should be investing money to reduce waste going to landfill.
  - 84% of respondents agreed or strongly agreed that the Council should be investing money to increase recycling rates.
  - 70% of respondents agreed or strongly agreed that the Council should enforce recycling standards across the Borough.
  - 83% of respondents stated that they would be satisfied or very satisfied with a weekly food collection service.
  - 50% of respondents stated that they would be satisfied or very satisfied with fortnightly collections of remaining waste. 44% however were either dissatisfied or very dissatisfied.
- Results from the comments indicate that:
  - There was significant praise for the current waste and recycling collection service and the courtesy of the recycling and refuse collection crew.
  - 104 respondents stated that they were happy with the current situation and didn't wish to see it changed.
  - Many respondents welcome the food waste collection but felt they would have little need as they currently compost or do not waste food.
  - 22% of respondents left a comment about the different options and of those, the majority preferred Option B as it is closest to the current service with the added food waste collection (166 respondents).
  - A total of 344 comments were received on the subject of the potential implementation wheelie bins; 29 respondents 'for' and 315 'against.'
  - Further information was requested on the impact of the potential change from a weekly to fortnightly collection of residual waste even if food waste were collected on a weekly basis.

- The results of the survey are broadly representative of Colchester's resident population although it is recognised that more could be done to engage with seldom heard from communities in the future if greater time and financial resources are applied.
- It is recommended that ongoing communications and engagement take place between the Council and its customers between consultation periods to ensure that the public are kept well informed of potential changes to the service.

As a result of the consultation it is proposed that the Task and Finish Groups work continues concentrating on two streams in particular:

Strongly encourage participation – investigating methods to encourage further participation in recycling including looking at experience elsewhere from the use of incentives, enforcement

Food waste collection – to further explore the benefits of food waste collection and look at how potentially this could be trialled in the Borough.

A new work programme for the group will be developed that will concentrate on exploring best practice in these areas and the group will be asked to develop methods that will be suitable and acceptable to Colchester's needs.

## OLDER PERSON'S ACCOMMODATION TASK AND FINISH GROUP PROJECT BRIEF

### Terms of Reference:

The Policy Review and Development Panel accepted the invitation of the Portfolio Holder for Housing and Community Safety to set up a Task and Finish Group:

“To undertake a comprehensive review of the issues relating to accommodation for older people in order to assist in the determination of a Strategy and action plan which will assist older people in Colchester find housing solutions which meet their needs”.

To fulfil it's remit, it is anticipated that the Task and Finish Group would need to consider a number of particular topics:

- What do we know about need, demand and current provision and what are the gaps? (Developing our evidence base)
- What are the key national and local policy drivers?
- What do older people want and what do they think of current provision? What does the next generation of older people want?
- What should the Council's key strategic objectives be for its strategy?
- What actions should be undertaken to meet these objectives?
- What resources are available?

The review would be conducted during the course of one or more meetings, as necessary, with a view to the final outcomes being reported to the Policy Review and Development Panel for discussion and consideration.

The recommendations of the Policy Review and Development Panel would be the subject of a report to the Portfolio Holder for Housing and Community Safety, if preferred by the Portfolio Holder, the Cabinet.

Membership: To be determined by the Political Groups in accordance with the following breakdown:

2 Liberal Democrats  
2 Conservatives  
1 Labour  
1 Independent

Members appointed in 2011-12:

Councillor Margaret Kimberley  
Councillor Sonia Lewis  
Councillor Mike Lilley  
Councillor Colin Mudie  
Councillor Beverley Oxford  
Councillor Laura Sykes

Terms of Reference: to be formulated and submitted to the Policy Review and Development Panel for information in advance of the Task and Finish Group's first meeting

**Desired Outcomes:**

**BACKGROUND**

The Policy Review and Development Panel at its meeting on 8 November 2010 gave particular consideration to the following issues:-

- The need to find a realistic solution to the issue of home owners with restricted incomes and the benefits of releasing funds through down-sizing in order to generate income to move to better designed properties with adequate heating and other facilities;
- The need for practical support schemes to be made more readily available and their existence to be more widely known;
- The dilemma of encouraging people who are under occupying to move when there are few alternative options specifically for older people;
- Questions regarding the management and provision of housing stock for older people by the Council, especially given that much of it is sub-standard, and the possibility of selling units in order to generate income to improve others;
- The possibility of reinstating the original designation of two bedroom properties in rural areas which had been allocated for older people but which now formed part of the general needs stock;
- The new government's drive towards localism and the anticipated changes to the Planning system which were intended to provide the ability for communities to decide what type of housing they preferred in their areas.

**PROCEDURE GUIDE**

| <b>Potential Witnesses (who/Why)</b>   | <b>Organisation/Individual</b>   |
|--|--|
| <ul style="list-style-type: none"> <li>• Marion Bailey, Support and Development Officer, Future East</li> <li>• Susannah Westwood, Senior Planning and Commissioning Officer</li> <li>• Rob Moore</li> <li>• Aaron Elliott</li> <li>• Michael Siggs</li> <li>• Karen Loweman, Director of Housing</li> <li>• Dave Miller</li> <li>• Clare Lawrance</li> <li>• Beverley Strutt</li> <li>• Vivien Lyons</li> <li>• Barbara Williamson</li> <li>• Deborah Ollet</li> <li>• Rachel Fahie</li> <li>• TBC</li> </ul> | <ul style="list-style-type: none"> <li>• Housing Action Support Officer from Care and Repair England</li> <li>• Essex County Council's Adults Health and Community Well-Being</li> <li>• Homes and Communities Agency</li> <li>• Homes and Communities Agency</li> <li>• Almshouse Movement</li> <li>• Colchester Borough Homes</li> <li>• Hanover Bloc</li> <li>• Colne Housing Society</li> <li>• Balkerne Gardens Trust</li> <li>• Hanover Housing</li> <li>• Pensioners Action Group</li> <li>• Age UK</li> <li>• Colchester Age UK</li> <li>• Colchester Borough Homes Tenants Group</li> </ul> |
| (see over for Witness Question Plan)   |  |

|   |                             |
|---|-----------------------------|
| <b>Documents / evidence / research<br/>(what/why)</b>       | <b>Information gathered</b> |
|   |                             |
| <b>Site visits/engaging public/partners<br/>(where/why)</b> | <b>Information gathered</b> |
|   |                             |
| <b>Consultation / research (why/who)</b>                    | <b>Information gathered</b> |
|   |                             |
| <b>Other methods used</b>                                   | <b>Information gathered</b> |
|   |                             |

Witnesses

Question Plan

|  |                             |
|--|-----------------------------|
| <b>Who / What / Where / Why / When / How ?</b> | <b>Information Obtained</b> |
|  |                             |

Policy Review and Development Panel  
**WORK PROGRAMME 2011/12**

|                                     | <u>20 June 2011</u>   | <u>8 August 2011</u> | <u>12 September 2011</u>   |
|-------------------------------------|---|----------------------|--|
| <b>Policy Initiatives</b>           |   |                      |  |
| <b>Review of Corporate Policies</b> | Events Policy for Parks and Open Spaces<br>Debt Management Policy |                      | Economic Development Strategy 2010 - 2015                            |
| <b>Task and Finish Groups</b>       |   |                      | Future of Magistrates' Courts in the Town Hall (subject to progress) |



|                                     | <u>7 November 2011</u>                | <u>16 January 2012</u> | <u>5 March 2012</u> |
|-------------------------------------|---------------------------------------|------------------------|---------------------|
| <b>Policy Initiatives</b>           |                                       |                        |                     |
| <b>Review of Corporate Policies</b> | Single Equality Scheme // Action Plan |                        |                     |
| <b>Task and Finish Groups</b>       |                                       |                        |                     |

| <b>Task and Finish Groups</b>                    | <b>Membership 2010-11</b>  |
|--|--|
| 20 mph speed limit                               | Councillors Ford, Hardy, Offen and G. Oxford and Parish Councillor Gili-Ross |
| Waste Prevention and Recycling Options Appraisal | Councillors Cope, Ellis, P. Oxford, Offen, J Young and Willetts              |
| Older Persons Accommodation                      | Councillors Kimberley, Lewis, Lilley, Mudie, B Oxford and L Sykes            |

