

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 3 March 2014

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 9.30 pm

Members Present: C Whitbread (Chairman), Ms S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, Mrs A Grigg, D Stallan, H Ulkun and G Waller

Other Councillors: K Angold-Stephens, K Avey, R Butler, Mrs T Cochrane, Mrs R Gadsby, D Jacobs, S Murray, J Philip, B Rolfe, Mrs M Sartin, Ms G Shiell and Mrs J H Whitehouse

Apologies: Mrs E Webster

Officers Present: D Macnab (Deputy Chief Executive), J Gilbert (Director of Environment and Street Scene), A Hall (Director of Housing), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), J Chandler (Assistant Director (Community Services and Customer Relations)), R Pavey (Assistant Director (Revenues)), P Pledger (Assistant Director (Property and Resources)), L Swan (Assistant Director (Private Sector & Resources)), M Tipping (Assistant Director (Facilities Management & Emergency Planning)), T Carne (Public Relations and Marketing Officer), P Freeman, G Greenwold (Council Staff), P Tredgett (Information Assistant) and G J Woodhall (Democratic Services Officer)

136. WEBCASTING INTRODUCTION

The Leader made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

137. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor A Grigg declared a personal interest in agenda item 21, 10 Newmans Lane, Loughton, by virtue of having met with the proposed Developer. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a personal interest in agenda item 22, Proposed Development – St Johns Road, Epping, by virtue of being a member of Epping Town Council. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in agenda item 22, Proposed Development – St Johns Road, Epping, by virtue of being a resident of Epping. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the issue. In addition, the Councillor repeated the personal statement that he had made to the Cabinet in July 2012, namely:

“(a) in my own response as a local resident to the public consultation, I stated that I was opposed to the provision of a supermarket;

(b) my view has always been that the approved development brief should achieve the twin goals of revitalising the High Street economy and preserving its essential character;

(c) it has never been my view that maximising the financial return on the Council’s landholding in that area should be the only objective of the Authority, community benefits are equally important in my mind; and

(d) the decision as to whether a supermarket or indeed any other form of development will form part of the brief is not mine as Leader of the Council but one for the whole Council.”

(d) Pursuant to the Council’s Code of Member Conduct, Councillor J H Whitehouse declared a personal interest in agenda item 22, Proposed Development – St Johns Road, Epping, by virtue of having a relative directly affected by the proposals. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(e) Pursuant to the Council’s Code of Member Conduct, Councillors G Shiell and J H Whitehouse declared a personal interest in agenda item 18, Discretionary Retail Rate Relief Policy, by virtue of being a trustee of a Charity. The Councillors had determined that their interest was pecuniary and would leave the meeting for the consideration of the issue.

(f) Pursuant to the Council’s Code of Member Conduct, Councillor S A Stavrou declared a personal interest in agenda item 18, Discretionary Retail Rate Relief Policy, by virtue of having been involved with a Charity in the past. The Councillor had determined that her interest was not pecuniary and would remain in the meeting for the consideration of the issue.

138. MINUTES

Resolved:

(1) That the minutes of the meeting held on 3 February 2014 be taken as read and signed by the Chairman as a correct record.

139. REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports from the Portfolio Holders present at the meeting.

140. PUBLIC QUESTIONS

There were no questions received from the public for the Cabinet to consider.

141. OVERVIEW AND SCRUTINY

In the absence of the Chairman, the Vice-Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 25 February 2014:

(a) a presentation regarding the North Essex Mental Health Strategy for 2013-17;

- (b) the Quarter 3 progress report for the Corporate Plan Key Objectives for 2013/14;
- (c) the proposed new Scrutiny Panel structure from June 2014, but this was deferred pending a further evaluation by the reconvened Overview & Scrutiny Review Task & Finish Panel; and
- (d) the Overview & Scrutiny Work Programme, where it was agreed to invite representatives of the Barts Hospital NHS Trust to the next meeting to discuss Whipps Cross Hospital.

The Cabinet's agenda was reviewed but there were no specific issues identified on any of the items being considered.

142. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 4 FEBRUARY 2014

The Housing Portfolio Holder presented the minutes from the meeting of the Council Housebuilding Cabinet Committee held on 4 February 2014.

The Cabinet Committee had made recommendations to the Cabinet regarding the Prioritisation of Potential Developments. Other issues that the Cabinet Committee had considered included the Future Use of Garage Sites Unsuitable for Redevelopment, Phase 2 Feasibility Report, Review of Rent Cap – EFDC Affordable Rent Policy, Phase 1 Update, Financial Reports, Risk Register, and the Five-Year Project Plan.

The Vice-Chairman of the Overview & Scrutiny Committee drew the Cabinet's attention to the section within the proposed Safeguarding Policy, to be considered later in the meeting, that referred to the provision of play facilities and green space. The Council did not want to intensify future developments to the point where there were no play facilities or green space, as this could simply be creating the slum housing of the future. The Chairman of the Housing Scrutiny Panel agreed with these comments and added that the new Council Housing should be both affordable and of sufficient quality; the Portfolio Holder was asked what amenity space would be lost by increasing the minimum number of properties to be built at Burton Road in Loughton from 25 to 31?

The Portfolio Holder responded that there had been a full discussion at the Cabinet Committee meeting regarding this item (Phase 2 Feasibility Report) and reminded the Cabinet that the original proposal for 25 dwellings had been for part of the site at Burton Road; subsequently, more land had become available at the site and a further six dwellings were now proposed for development. A further report on the site would be considered at a future meeting of the Cabinet Committee, where a higher density than 31 dwellings would be proposed due to a reduced provision of parking. The Portfolio Holder was cautioned that parking was a big issue on the housing estates throughout the District at the current time.

Decision:

Prioritisation of Potential Developments

- (1) That the following general strategic approach be adopted for the prioritisation of potential sites taken forward for development under the Council's Housebuilding Programme:

(a) Generally, over a period of time, development sites be spread around the towns/villages where sites are located, on a rotational basis, so that all locations have the benefit of affordable housing being provided in their area;

(b) Priority for the development of potential sites be given to areas in which the highest number of housing applicants live;

(c) Towns/villages with sites that could potentially deliver the greatest number of new properties be prioritised in preference to locations where less properties could be delivered; and

(d) If possible, development packages/phases would generally comprise sites within the same town/village, in order to reduce the contractor's site set-up costs;

(2) That, taking account of the strategic approach set out in (1) above, locations be grouped together into the following two Groups and the Priority Orders shown (*Note: applicants can express preferences for more than one area*):

Group A (Capacity for 10 or more new homes)					
Priority Order	Location	No. of Housing Applicants	No. of Sites	Max. No. of Properties	No. of Preferences From Applicants
1	Loughton	478	16 ^(#)	52 ^(#)	1,047
2	Waltham Abbey	472	18	71 ^(*)	676
3	Epping	95	5	12	1,065
4	Buckhurst Hill	80	5	23	832
5	Ongar	76	2	11	404
6	North Weald	48	2	16	456

(*) = Including the Year 1 sites

(#) = Excluding the sites at The Broadway

Group B (Capacity for less than 10 new homes)					
Priority Order	Location	No. of Housing Applicants	No. of Sites	Max. No. of Properties	No. of Preferences From Applicants
1	Theydon Bois	19	2	5	749
2	Nazeing	15	2	7	348
3	Roydon	13	1	3	215
4	Coopersale	10	3	7	152
5	High Ongar	9	1	2	307
6	Matching Green/Tye	7	1	2	193

(3) That development packages/phases be formulated each year, on a rotational basis – in the Priority Order shown in Group A above – until the capacity for the potential number of homes in a location reduces to less than 10, at which point the location be moved into Group B;

(4) That, where less than 20 homes could be provided within a development package/phase in one of the locations within Group A above, one or more sites within

Group B also be included within the development package/phase, on a rotational basis – in the Priority Order shown in Group B above – to comprise a package/phase of between 20 and 25 homes; and

(5) That an annual review of the priority orders within Groups A and B in (2) above be undertaken by the Cabinet Committee having regard to the same strategic approach set-out in (1) above.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

143. HOUSING IMPROVEMENTS AND SERVICE ENHANCEMENTS FUND - 2014/15

The Vice-Chairman of the Housing Scrutiny Panel presented a report on Housing Improvements and the Service Enhancements Fund for 2014/15, as she had chaired the meeting of the Housing Scrutiny Panel when this matter was discussed on 22 January 2014.

The Vice-Chairman reminded the Cabinet that when it had agreed the strategic approach for the Council's new 30-Year Housing Revenue Account (HRA) Financial Plan, it had requested the Housing Scrutiny Panel to consider and recommend to the Cabinet a proposed list of housing improvements and service enhancements each year, utilising the additional funding made available as a result of HRA self-financing. For the past two years, the Scrutiny Panel had formulated lists of housing improvements and service enhancements, which had been subsequently approved by the Cabinet. An out-turn report on the forecast expenditure and the progress made on the projects agreed for 2013/14 was provided at Appendix 1 of the report.

The Scrutiny Panel's recommendations for further housing improvements and service enhancements to be undertaken during 2014/15, funded from the additional HRA resources available next year, included: the Front Door Safety Replacement Programme for Leaseholders in Flat Blocks; the Oakwood Hill Estate Enhancement Scheme; the Refurbishment of Communal Kitchens in Sheltered Housing Schemes; the Provision of Mobility Scooter stores at Sheltered Housing Schemes; the Extension of the Garden Maintenance Scheme for Older and Vulnerable Tenants; the Provision of Wi-Fi at Norway House in North Weald; an initial Feasibility Study for a Chalet Replacement Scheme at Norway House in North Weald; and the In-Year Housing Improvements & Enhancements Fund. These projects were estimated to cost £430,000, and a further £200,000 was recommended to be allocated to the Major Capital Projects Reserve in 2014/15. The amount of resources available to spend on new improvements and enhancements in 2014/15 and subsequent years was much less than anticipated a year ago - mainly due to the proposed cessation of the Government's Rent Convergence Policy from April 2015, which would significantly reduce the expected levels of rental income from 2015.

The Cabinet was requested to agree the proposals put forward by the Scrutiny Panel for 2014/15, and also to determine if it wished the Scrutiny Panel to consider and

recommend the proposed use of the Housing Improvements and Service Enhancements Fund for 2015/16.

The Housing Portfolio Holder welcomed the recommendations made by the Scrutiny Panel and commended them to the Cabinet. The Chairman of the Housing Scrutiny Panel thanked the Vice-Chairman for chairing that particular meeting and presenting the subsequent report to the Cabinet. In respect of the Oakwood Hill Estate Enhancement Scheme, the efforts of one of the local members for Loughton Alderton was highlighted. The Cabinet, in approving the recommendations for 2014/15, applauded the efforts of the Scrutiny Panel and requested it to perform the same task next year.

Decision:

- (1) That the latest out-turn forecasts for each of the projects funded by the Housing Improvement and Service Enhancement Fund in 2013/14, provided at Appendix 1 of the report, be noted;
- (2) That the associated expenditure for any slippages on individual projects in 2013/14 be carried forward to complete the projects in 2014/15;
- (3) That the following list of housing improvements and service enhancements for 2014/15, and the associated recommendations for each project (as set out at Appendix 2 of the report) be approved:

Doors of Leasehold Flats

- (a) That, in order to help ensure that all front doors in blocks of Council flats were fire-protected, a scheme be introduced whereby the Council offers to contribute 75% of the cost of replacing fire-protected front doors to leasehold properties, where the door comes off of an enclosed common part, if leaseholders meet the remaining 25% cost;
- (b) That, in order to treat all leaseholders equitably, where leaseholders have already agreed to pay, or have paid, the full amount for the installation of a fire-protected front door, they be given a discount/refund of 75% of the cost, with refunds for installations already paid being applied as a credit to the leaseholder's 2014/15 annual maintenance charge;
- (c) That those leaseholders who, to date, have not agreed to have new fire-protected doors installed, be advised of the proposed scheme and offered to have a new door installed in 2014/15; and
- (d) That the scheme be funded through an allocation of funding from the Housing Improvements and Service Enhancements Fund of £125,000 in 2014/15 and £100,000 per annum for the following three years;

Oakwood Hill Estate Enhancement Scheme

- (e) That £100,000 per annum be allocated in 2014/15 and 2015/16 (£200,000 in total) to fund an Estate Enhancement Scheme at the Oakwood Hill Estate, Loughton;
- (f) That the County Council's agreement in principle, at the request of the Housing Portfolio Holder, to provide match funding of £200,000 for the Enhancement Scheme be noted; and

(g) That a Member/Officer "Task Force" be established, chaired by the Housing Portfolio Holder, and including senior housing officers, ward members, the ECC divisional member, and representatives from the Oakwood Hill Estate Residents Association (OHERA), the Oakwood Senior Citizens Club and Essex CC Highways;

Communal Kitchens – Sheltered Housing Schemes

(h) That £70,000 per annum be allocated in 2014/15 and 2015/16 (£140,000 in total) to refurbish all 12 remaining communal kitchens at the sheltered housing schemes that now required renewal;

Mobility Scooter Stores

(i) That £50,000 be allocated in 2014/15 to fund the provision and installation of around 25 electric mobility scooter stores, with those schemes with the greatest demand and sufficient space to provide the stores given the greatest priority;

Garden Maintenance Scheme

(j) That Housing Revenue Account (HRA) funding of £40,000 per annum continued to be provided to VAEF for the Council's Garden Maintenance Scheme for Older and Disabled Council Tenants for a further two years from 2014/2015, with £20,000 funded from the existing budget within the HRA and the remaining £20,000 funded from the Housing Improvements and Service Enhancements Fund;

Wi-Fi – Norway House

(k) That a Wi-Fi system be provided and supported by the Council at Norway House, North Weald, funded by an allocation of one-off funding of £8,000 in 2014/15 and an ongoing support cost of £500 per annum;

(l) That an appropriate level of regulation of internet access be applied, through the use of filters;

(m) That residents not be charged for the Wi-Fi usage, with the cost of access considered to be included within their room charge;

Chalet Replacement Project – Norway House

(n) That £6,000 be allocated in 2014/15 to fund an initial feasibility study to assess the design, planning and other issues – together with the costs - associated with the provision of replacement chalets at Norway House, North Weald;

(o) That the feasibility study includes an assessment of the potential and costs to provide an increased number of chalets in the grounds of Norway House;

(p) That, in principle, the costs of the Chalet Replacement Scheme be met from the Major Capital Project Reserve held within the Fund, at an appropriate time in the future, subject to the approval of the Cabinet; and

- (q) That a site visit be arranged for the Scrutiny Panel (and any other interested members) at the appropriate time, following completion of the feasibility study and prior to further consideration being given to the Chalet Replacement Project; and
- (4) The amount allocated from the Fund to the Major Capital Projects Reserve in 2014/15 be reduced from £850,000 to £200,000, due to:
 - (a) The required second year's funding for Marden Close and Faversham Hall (£508,000);
 - (b) The proposals being put forward at Appendix 2 for the allocation of resources from the Fund next year (see below); and
 - (c) The anticipated cessation of the Government's Rent Convergence Policy from April 2015;
- (5) That the proposed £200,000 within the Major Capital Projects Reserve for 2014/15 be used to either help fund a capital project next year (subject to the subsequent approval of the Cabinet or Housing Portfolio Holder), or be added to the funding made available for the Major Projects Capital Reserve in the following year (2015/16), for a larger capital project at that time; and
- (6) That, at its meeting in January 2015, the Housing Scrutiny Panel be asked to consider and recommend to the Cabinet the proposed use of the Housing Improvements and Service Enhancements Fund for 2015/16.

Reasons for Decision:

Anticipated additional resources of £430,000 were being made available within the HRA Budget to spend on additional housing improvements and service enhancements in 2014/15, in addition to the allocation of £200,000 to the Major Capital Projects Reserve.

Other Options Considered and Rejected:

To agree a different list of improvements and service enhancements, or to allocate funding differently between the proposed schemes.

144. PARKING STRATEGY AND TARIFF STRUCTURE

The Portfolio Holder for Safer, Greener and Transport presented a report on a revised interim Parking Strategy and Tariff structure.

The Portfolio Holder reported that the Council had not raised its off-street parking charges for five years, and its currently adopted parking strategy was last considered in November 2004. Present economic circumstances and continued pressure upon parking facilities dictated that both the strategy and tariff structure should be reviewed. It had been hoped to undertake the background work for the review in time for the commencement of the 2014/15 financial year, but this had not been possible. In order to ensure that due consideration was given to all possible options, it was suggested that the revised strategy be considered and then consulted upon. In respect of the parking tariffs, it was suggested the existing tariffs were essentially raised in accordance with the lost inflationary increases over the past five years, pending the outcome of the strategy consultation and a more fundamental tariff review in the new year.

A local Member for Chipping Ongar, Greensted and Marden Ash stressed that Ongar was the smallest of the town centres in the Epping Forest District and did not have a Central Line station. Consequently, it had to be competitive with its car parking charges to encourage shoppers to visit; Brentwood had a larger shopping centre and lower car parking charges. Therefore, the Portfolio Holder was requested to not increase the car parking charges in Ongar until the further review report had been considered.

The Portfolio Holder assured the Member that he was aware of the concerns of Ongar, but would not be able to amend the interim car parking charges in the short term. When the new tariff was introduced during 2014/15, possible variations in charging for the different centres would be considered, and the new tariff would have a public consultation period before it was introduced.

A local member for Epping Hemnall requested the Portfolio Holder to consider measures to relieve the parking pressures at Epping Station, including providing information on bus services, instigating a park-and-ride facility at North Weald Airfield, and residents renting out their driveways for commuters to use. The Portfolio Holder was urged to advertise the proposed public consultation wider than simply the Council's website, using the Forester and Parish Magazines.

The Portfolio Holder would welcome any ideas on how to advertise the public consultation in the widest possible manner. Further information regarding bus services and the hiring of residents' driveways could be provided, whilst the possible instigation of a park-and-ride facility at North Weald Airfield would be examined in the longer term.

The Housing Portfolio Holder, who was also a local Member for North Weald Bassett, opined that a park-and-ride facility at North Weald Airfield would not solve the parking problems related to Epping Station as other commuters would move into the vacated spaces. Unfortunately for residents close to Central Line stations, the fares for travelling on the Underground were cheaper than National Rail fares.

The Director of Environment & Street Scene explained that the structure of the interim tariff was the same, the charges had simply been increased; and the structure of the new tariff could alter radically after the public consultation exercise had been completed. It was acknowledged that there had been a low take-up of season tickets and if more were sold then the Council's income would be reduced, the Council needed to strike a balance between having car parking spaces available and generating income. The Portfolio Holder added there had been no indication from the North Essex Parking Partnership that the on-street parking charges within the District would rise.

Decision:

(1) That the following revised District parking strategy be agreed for consultation with local businesses, business organisations and the residents:

(1) In order to support the economic vitality of town centres and associated businesses, the following principles be considered:

(a) the provision and availability of short stay parking for up to five hours;

- (b) *the introduction of linear tariffs (i.e. equal steps from one charging period to the next, such as 70 pence for each hour);*
 - (c) *differential tariffs for different locations;*
 - (d) *the continuation of limited free parking on Saturdays within each town centre; and*
 - (e) *the continuation of free parking in all car parks on Saturdays in December of each year;*
- (2) *The needs of locally based employers and their employees be recognised and that provision be made to facilitate their long stay parking;*
- (3) *The wish of residents and non-residents to use the Central Line to commute to work be recognised and facilitated, but that the costs of that parking properly reflect the comparative costs of parking in station and other private parking facilities;*
- (4) *In support of (1), (2) and (3) above, Council car parks be generally available for both short and long stay use but that the balance between those uses be controlled through:*
 - (a) *the retention of short stay only parking in designated locations (e.g. a five hour maximum stay);*
 - (b) *the tariff structure (to include season ticket arrangements);*
 - (c) *the promotion of season tickets, and subject to the available technology, the use of "smart cards" for local employers and employees; and*
 - (d) *the balance of season ticket availability within car parks;*
- (5) *Given the difficulties of determining acceptable solutions for parking pressures around commuter stations within the District, the current policy of not undertaking any further wide area parking reviews once the existing commitments to Buckhurst Hill and Loughton, subject to available resources, have been delivered, be maintained. Following these implementations, all requests for further on-street controls or amendments to existing controls shall be referred directly to Essex County Council as the Highways Authority or to the North Essex Parking Partnership. The Council will, through its relationships with NEPP and the County Council, continue to seek to influence NEPP and the County Council in investigating on-street parking stress and determining and delivering solutions;*
- (6) *The need to encourage alternative modes of transport to the car are recognised. However, given that the availability of public transport is limited, particularly in the more rural areas the Council will continue to seek to influence the County Council to ensure the availability of appropriate public transport. It will also endeavour, through its adopted planning policies and development control powers when approving new developments, to seek to ensure a balance between:*
 - (a) *the need to have access to and use of a car; and*

(b) *the proximity of and availability of public transport;*

(7) *The needs of those with disabilities be recognised and that:*

(a) *dedicated free spaces for holders of valid "blue badges" continue to be provided in the Council's car parks; and*

(b) *notwithstanding (a) above, a vehicle displaying a valid blue badge can park in any space within a Council car park at no charge; and*

(8) *That the cleanliness and safety of the Council's car parks be maintained such as to retain the accredited status of Park Mark.*

(2) That the following interim tariff structure be agreed to commence on 1 May 2014:

Type As is Proposed	Up to 30 min	Up to 1 hour	Up to 2 hours	Over 2 hours	Up to 3 hours	Over 3 hours	Up to 4 hours	Up to 5 Hours
Cottis Lane	0.10	0.70	1.40		2.10		2.80	3.50
Short stay	0.10	0.80	1.60		3.20	10.00		
Long stay			1.60	3.50				
Combined	0.10	0.80	1.60	3.50				

(3) That a further report be received as early as possible in the new municipal year (2014/15) setting out proposals for new 'smart' meters and revised tariffs based on the consultation referred to above.

Reasons for Decision:

The parking service was required to generate additional income as part of the 2014/15 budget. It was also important that steps were taken to ensure a balance of parking provision, albeit with an emphasis upon the needs of shorter stay visitors and users of the Council's car parks.

Other Options Considered and Rejected:

None at this stage other than to defer any increase in tariffs until the strategy had been consulted upon and agreed. However, this could lead to the tariffs being increased to a greater extent than would otherwise have been necessary.

145. CIVIC OFFICES INSTALLATION OF SOLAR PANELS - FEASIBILITY STUDY

The Portfolio Holder for Asset Management & Economic Development presented a report on the feasibility study for the installation of solar panels at the Civic Offices.

The Cabinet was reminded that it had requested a feasibility study into the installation of photovoltaic solar panels at the Civic Offices when it had considered the Planned Preventative Maintenance Programme at its meeting on 21 October 2013. The Feasibility Study had included options, budget costs, payback periods and the benefits to the Council to enable a decision to proceed or not with this project to be made.

The Portfolio Holder reported that if the Cabinet agreed to proceed with the solar panels project then, based on current data, the Council would generate an estimated

43,914 kWh of energy per annum, which would offset the equivalent of 23,230kg of CO₂ per annum. Outright purchase of the solar panels and associated equipment offered a more beneficial solution than system rental and the total cost of the project was estimated to be £79,689. It was expected that the Council would achieve a simple payback period of eight years on a life expectancy of 20 years for the panels, and receive an estimated average return of 12.1% on its capital investment.

The Portfolio Holder stated that replacement/remedial works to the roofs of the Civic Offices and Condor Building would have to be undertaken, irrespective of whether the solar panels project proceeded or not. This was estimated to cost £139,428 including project management fees. The combined estimated project cost for the installation of the solar panels and the replacement/remedial roof works was £219,117. Adequate budget provision existed for this project and therefore no additional financial provision or supplementary estimates would be required. It was recommended that British Gas be appointed to provide a turn key solution for the supply and installation of the solar panels, and that Stace LLP be appointed to undertake the management of the project, including the remedial works. Finally, approval was sought to make all the necessary planning and building regulation applications for the project.

When asked whether the Council had considered solar panels for heating water as well as electricity, the Assistant Director of Corporate Support Services (Facilities Management & Emergency Planning) explained that the Council had only considered photovoltaic panels. It was confirmed that the Private Mobile Radio system would be kept, but the aerials would be relocated to a better position which would improve the visual appearance of the Conder Building roof.

Decision:

- (1) That a scheme to install photovoltaic solar panels to two roof elevations of the Civic Offices complex be progressed in 2014/15, provided this could be achieved within the load factors identified in the structural survey;
- (2) That the necessary remedial works/replacement works to the roofs of the main Civic and Conder buildings be carried out as part of the solar panel scheme;
- (3) That the solar panels and associated equipment be purchased by the Council as this option provided the best rate of financial return on the investment, together with ongoing savings on energy costs and income from the feed in tariff;
- (4) That British Gas be appointed to provide a 'turn key' solution for the supply and installation of the solar panels under a framework agreement in accordance with contract standing orders;
- (5) That Contract Standing Orders be waived in relation to seeking competitive quotations and Stace LLP be appointed as Project Manager for the solar panels project, including the remedial roof works and roof covering replacement works; and
- (6) That approval be given to make all necessary planning and building regulations applications to enable this project to proceed.

Reasons for Decision:

To further reduce the Council's energy consumption and costs, reduce carbon emissions and demonstrate a community lead with the Safer, Cleaner and Greener agenda.

Other Options Considered and Rejected:

To not proceed with the scheme and forego the reductions that could be achieved in energy consumption, costs and carbon emissions. However, this would result in savings in the Capital Programme during 2014/15.

146. PARK HOME SITE LICENCE CONDITIONS - PROPOSED NEW ARRANGEMENTS

The Housing Portfolio Holder presented a report on the proposed new arrangements for Park Home Site Licence conditions and outlined some revised response figures from the public consultation.

The Portfolio Holder reminded the Cabinet that, in July 2012, it had agreed the conditions to be attached to the site licences for the permanent residential park homes sites in the District (report reference C-012-2012/13). These included a condition that if, in the future, local authorities were able to charge for park home licensing functions then the Council reserved the right to do so, although it was also agreed that if the Council intended to charge then all residents and site owners would be consulted beforehand. The new Mobile Homes Act 2013 had included the power for local authorities to charge for functions associated with licensing park home sites. While this legislation only allowed charges to be made for the administration of the Council's licensing functions and not for enforcement, it was considered that an effective presence on site during the licensing process could reduce site licence contraventions and would reduce Officer time spent on enforcement at a later stage.

The Portfolio Holder stated that a proposed fee structure had been devised and site owners, park home owners and other interested parties were consulted. Residents that were tenants in a park home were not liable for paying the pitch fee (and as such any licence fee) so views on potential charging were not sought from them. It was recommended that the Epping Forest District Council Policy on Fees for Licensing Residential Park Home Sites, attached at Appendix 1 of the report and taking account of the views expressed during the public consultation, be agreed for implementation from 1 April 2014.

The Cabinet were reminded that it had also agreed that the site licence conditions for the Gypsy, Roma and Traveller sites in the District should generally be in accordance with those for the permanent residential sites and that a consultation process should also be undertaken with the residents on Gypsy, Roma and Traveller sites that were occupied on a permanent residential basis. Draft site licence conditions had been compiled, however additional information regarding the appropriate separation spacing of park homes had come to light and this consultation had been delayed pending further guidance being sought by Officers.

The Assistant Director of Housing (Private Sector & Resources) added that the closing date for the public consultation had been after the date of publication for the Cabinet agenda, hence some of the response figures provided in table four had been revised. Officers had now obtained the guidance regarding sprinkler systems and had resolved the issues regarding the separation between dwellings on Gypsy, Roma and Traveller sites. Consequently, a report would be submitted for consideration in due course. It was confirmed that annual licence fees could be passed on to pitch holders each year but the initial licence fees for the site could not. This led to some initial confusion amongst the Members concerning which licence fee could be passed on to pitch holders and which could not, until the Portfolio Holder provided an explanation.

Decision:

(1) That, following the recent consultation with park home residents and site owners:

(a) the Epping Forest District Council Policy on Fees for Licensing Residential Park Home Sites, attached at Appendix 1 of the report, be adopted from 1 April 2014; and

(b) the fees be added to the Schedule of Housing Fees and Charges and reviewed by the Finance and Performance Management Cabinet Committee on an annual basis; and

(2) That a decision on the draft conditions to be attached to site licences for Gypsy, Roma and Traveller sites, which would be the subject of a separate consultation with the owners, residents and other interested parties, be delayed pending interpretation of the implications of further guidance on recommended separation distances between park homes.

Reasons for Decision:

The Mobile Homes Act 2013 allowed local authorities to cover their licensing costs by levying a charge on site owners. This could be passed on by the site owner to individual home owners in their pitch fees but the cost to each individual home owner through the fees proposed would be small.

Further information had come to light on the recommended spacing between pitches and it was considered that consultation with the Gypsy, Roma and Traveller residents regarding the draft conditions to be attached to such site licences should be held in abeyance until Officers had had a chance to review the guidance.

Other Options Considered and Rejected:

To not charge for licensing park home sites. However, the Mobile Homes Act 2013 provided an opportunity to recover these costs.

To adopt a different charging policy to the one proposed. However, the proposed scheme was considered the fairest and would allow additional sites to be included without the recalculation of the fees for all the sites.

147. PAY POLICY STATEMENT

The Portfolio Holder for Support Services presented a report on the Council's Pay Policy Statement.

The Portfolio Holder stated that Section 38(1) of the Localism Act 2011 required the Council to produce a Pay Policy Statement for each financial year setting out details of its remuneration policy, which drew on the Review of Fair Pay in the Public Sector (Will Hutton, 2011) and concerns over low pay. Specifically it should include the Council's approach to its highest and lowest paid employees. The Pay Policy Statement for 2014/15 had been amended to reflect the Directorate Restructure, the new Local Government Pension Scheme employee contribution rates (effective 1 April 2014), the fees paid to the Returning Officer in 2013/14, and the National Pay Award for 2013. The Cabinet was requested to recommend the Pay Policy Statement to the Council for approval.

Decision:

(1) That the Pay Policy Statement, as attached at Appendix 1 of the report, be recommended to the Council for approval.

Reasons for Decision:

To enable members of the Cabinet to comment on the Council's Pay Policy Statement before it was presented to the Council for agreement.

Other Options Considered and Rejected:

To amend the contents of the Statement prior to its approval by Council.

148. CHILD AND ADULT SAFEGUARDING POLICY

The Portfolio Holder for Safer, Greener & Transport presented a report requesting the adoption of the Council's new combined Safeguarding Policy.

The Portfolio Holder reported that the Council had a Duty of Care under Section 11 of the Children Act 2004 with respect to safeguarding and promoting the welfare of children and young people who lived and received services within the District and those young people originating from the District who were 'looked after'. In addition, although there was currently no legislative requirement for the safeguarding of vulnerable adults, the Council worked in accordance with the protocols set out by the Essex Safeguarding Adults Board, to help ensure that vulnerable adults who lived in the District, or received local services, were safe from harm and were not subjected to exploitation or abuse.

The Portfolio Holder stated that during the last year, the Government had moved towards a more 'joined-up' approach for safeguarding through Ofsted audit inspections. In line with this, Essex Safeguarding Children and Adults Boards were now working more closely together and had introduced combined safeguarding assessments and training for statutory partners in Essex. In response to this, the Council had developed a new, combined safeguarding policy, which now made reference to a range of new and emerging safeguarding issues that were becoming a high priority across the County. These included Child Sexual Exploitation, 'Honour' Based Abuse and Stalking and Harassment amongst others. It also set out the required procedures in respect of 'Concerns, Incidents and Allegations' and provided a comprehensive guide to the responsibilities of staff and Elected Members.

A local Member for Loughton Roding added that the training course which was run by the Assistant Director (Community Services & Customer Relations) had been very worthwhile, and that safeguarding should be made a mandatory role for elected Members.

The Portfolio Holder requested the Cabinet to adopt the new policy for the Council to meet its responsibilities effectively and to proactively promote its use by Elected Members.

Decision:

(1) That the Council's new Combined Safeguarding Policy, which covered all aspects of safeguarding for children, young people and vulnerable adults, be adopted; and

(2) That appropriate training on the requirements of the Policy be undertaken by all elected Members, so that they could play a proactive role in safeguarding, within the Epping Forest District.

Reasons for Decision:

The Council's Safeguarding Policy had been comprehensively reviewed in order to comply with the new, combined approach to safeguarding children, young people and vulnerable adults, which was being driven by Essex Safeguarding Children and Adults Boards. This new document clearly set out individual and Council-wide responsibilities from the Senior Management Leadership team, staff who work face to face with the public and Elected Members.

Other Options Considered and Rejected:

To not adopt the revised safeguarding Policy, but this would place children, young people and vulnerable adults at increased risk, and expose the Council to challenge and potential litigation under Section 11 of the Children Act 2004.

149. CORPORATE KEY OBJECTIVES 2013/14 - QUARTER 3 PROGRESS

The Leader of the Council presented a progress report on the achievement of the Corporate Key Objectives after nine months of 2013/14.

The Leader stated that the Corporate Plan was the Council's key strategic planning document, setting out its priorities over the four-year period from 2011/12 to 2014/15, with strategic themes reflecting those of the Community Strategy for the District. Updates to the Corporate Plan were published annually, to reflect the key objectives for each year of the plan period and progress against the achievement of objectives for previous years. A range of key objectives for 2013/14 were adopted by the Cabinet in March 2013. Progress in relation to deliverables and actions designed to support the achievement of the key objectives was reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and outturn basis.

The Leader reported that at the end of the third quarter of 2013/14, 74% of the actions supporting the key objectives had either been completed or were expected to be completed by the end of the municipal year, 15% of the proposed actions might not be completed by the end of the municipal year, whilst a further 11% had been put on hold as a result of external circumstances. The draft key objectives for 2014/15 were currently being developed and would be considered by the Cabinet at its next meeting.

Decision:

(1) That the progress in relation to the achievement of the Key Objectives for 2013/14 for the first nine months of the year be noted.

Reasons for Decision:

It was important that relevant performance management processes were in place to review progress against the key objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under-performance.

Other Options Considered and Rejected:

No other options were appropriate in this respect. Failure to monitor and review performance against the key objectives and to consider corrective action where necessary, could have negative implications for the Council's reputation and judgements made about its progress, and might mean that opportunities for improvement were lost.

150. CHRISTMAS / NEW YEAR ARRANGEMENTS

The Portfolio Holder for Support Services presented a report concerning the staffing arrangements for future Christmas and New Year periods.

The Portfolio Holder stated that the current arrangements for the closure of the Civic Offices building during the Christmas and New Year period had ended in 2013/14. Consultation had taken place with staff and Management Board; both strongly supported the continuation of the arrangements. Management Board also supported the continuation of the arrangements for the next five years.

The Portfolio Holder reported that the number of telephone calls to the main Council switchboard, had reduced by 65% during the Christmas week and by 44% during the New Year week, when compared with the levels experienced during the first week of December. There were a range of services that the public could access during this period, for both emergencies and normal day-to-day service delivery, and the new out-of-hours arrangements with Mears would begin in the near future. Due to the improvements to the Civic Offices regarding lighting and heating over the previous three years, the financial savings to the Council from closing the Civic Offices for a week or so were no longer a decisive factor.

The Portfolio Holder added that across Essex some Councils opened and some Councils closed during this period, and the majority of Councils made decisions on an annual basis regarding their arrangements for this period. A report regarding future arrangements had been submitted to the January 2014 meeting of the Joint Consultative Committee. However, no recommendations were agreed and the Cabinet was requested to consider this matter further.

The Secretary of the local Unison branch drew the Cabinet's attention to the comments that had been made in support of the Staff proposals at the meeting of the Joint Consultative Committee, as detailed in paragraphs 18 to 23 of the report. It was emphasised that if only the arrangements for 2014/15 were agreed then the Union would begin negotiations for 2015/16 again in a matter of months.

The Housing Portfolio Holder explained that the counter proposal suggested at the meeting of the Joint Consultative Committee was for the arrangements for 2014/15 to be agreed, and then review the situation for future years. It was acknowledged that Staff had grown accustomed to the extended break, and that they had had to endure a three-year pay freeze followed by a below inflation 1% pay rise this year. However, there had been no general consultation with Members about whether the current situation should continue, and it was felt important to ascertain the views of residents as well. Therefore, the Housing Portfolio Holder was proposing that the arrangements for 2014/15 be agreed and the arrangements for future years be reviewed by the Joint Consultative Committee on an annual basis, following consultation with Councillors and residents.

The Portfolio Holder for Support Services reiterated that the only options considered by the Joint Consultative Committee was to agree the arrangements for either one

year or five years in to the future. The Cabinet noted the excellent relations with the Unions and staff, and that the current arrangements were popular, however it was felt that the situation for future years should be reviewed and the comments of Members and residents be sought. It was suggested that a report on this issue should be considered by the Joint Consultative Committee before 1 November 2014.

Decision:

- (1) That the Christmas/New Year Staff Leave arrangements for 2014/15 be agreed as set out in the proposed schedule at Appendix 1 of the report;
- (2) That the Christmas/New Year Staff Leave arrangements for future years be considered by the Joint Consultative Committee, following consultation with residents and Members; and
- (3) That a report be considered by the Joint Consultative Committee on the Christmas/New Year Staff Leave arrangements for future years by no later than 1 November 2014.

Reasons for Decision:

To enable the arrangements for future Christmas/New Year periods to be considered.

Other Options Considered and Rejected:

To substitute other arrangements and/or amend the length of the schedule.

151. CHIGWELL NEIGHBOURHOOD AREA CONSULTATION

The Planning Portfolio Holder presented a report on the Chigwell Neighbourhood Area public consultation.

The Portfolio Holder reported that Neighbourhood Development Plans (NDPs) were introduced as part of the Localism Act 2011, to enable local communities (town/parish councils or designated neighbourhood forums) to shape the way that their local area developed. Once approved, the Plans would form part of the statutory development plan, and were therefore a material consideration when deciding on planning applications.

The Portfolio Holder stated that Chigwell Parish Council had submitted an application for the designation of a neighbourhood area in November 2013, to follow the line of the Parish boundary. The Council invited representations on the proposed neighbourhood area for a period of eight weeks, ending on 10 February 2014, during which two representations were received. One submitted by Loughton Town Council referred to the open space between Loughton and Chigwell, and therefore was not relevant to the consultation, whilst the other submitted by Barton Willmore on behalf of Higgins Homes supported the proposed neighbourhood area. It was now for the District Council to formally designate the neighbourhood area so that the Parish Council could progress the preparation of the Neighbourhood Development Plan

When questioned, the Portfolio Holder added that the Planning Department did have some resources available for Neighbourhood Development Plans; this was only the second request that had been received so there had been no detrimental effect on the Local Plan process so far.

Decision:

- (1) That the area covering the Parish of Chigwell be designated a neighbourhood area, following the receipt of representations; and
- (2) That all responsibilities between designating the neighbourhood area and bringing the neighbourhood plan into force, in this and any subsequent neighbourhood plan, be delegated to the Director of Neighbourhoods.

Reasons for Decision:

To enable the Council to meet its obligations under the Localism Act 2011.

Other Options Considered and Rejected:

To not designate the proposed Neighbourhood Area or to designate a different area. However, there was nothing to support either action given the representations received during the public consultation.

152. DISCRETIONARY RETAIL RATE RELIEF POLICY

The Portfolio Holder for Finance & Technology presented a report on the Discretionary Retail Rate Relief Policy.

The Portfolio Holder reported that the Council had a well-established and effective Discretionary Rate Relief Policy covering relief for non-profit organisations such as sports clubs and certain charities including St Claire's Hospice and local Cubs and Scouts organisations. However, the Government announced in the Autumn Statement on 5 December 2013 that it would provide relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less that were wholly or mainly being used as shops, restaurants, cafes and drinking establishments. The relief would be granted in each of the years 2014/15 and 2015/16 only, and the Government would fully fund the cost of the relief. The Council had recently received guidance from the Department of Communities & Local Government regarding this relief and each local authority was to set up a local scheme and award a discretionary relief under section 69 of the Localism Act 2011. Therefore it was necessary to amend the existing policy and the local scheme as laid out in Appendix 1 of the report, which drew upon the guidance received from the Government.

Decision:

- (1) That the existing Discretionary Rate Relief Policy be amended to include a Retail Rate Relief Policy, as set out in Appendix 1 of the report.

Reason for Decision:

In order to grant Retail Rate Relief the Council had to adopt a local scheme, and in accordance with the discretionary rate relief powers contained within section 47 of the Local Government Finance Act 1988 (as amended), decide in each individual case when relief should be granted.

Other Options Considered and Rejected:

To vary the terms of the proposed scheme, although this was not recommended as there was a limit on the relief that the Government would fund.

153. ANY OTHER BUSINESS**Decision:**

(1) That, as agreed by the Leader of the Council and in accordance with Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules, the following item of urgent business be considered following the publication of the agenda:

- (a) Waiver of Financial Regulation 5.22 – Disposal of Assets.

154. WAIVER OF FINANCIAL REGULATION 5.22 - DISPOSAL OF ASSETS

The Environment Portfolio Holder presented a report requesting the Cabinet to waive Financial Regulation 5.22 (Disposal of Assets) in respect of the transfer of waste management assets to the new service provider.

The Portfolio Holder reported that, as part of the new waste management contract, the incoming contractor would be required to take possession of the Council's waste management assets (i.e. vehicles and plant) and pay the Council their Net Book Value at the time of the transfer. However, Financial Regulation 5.22 required that when an asset was disposed of or part exchanged, this should normally be through a competitive tender or public auction, unless, following consultation with the Chief Finance Officer, the Cabinet agreed otherwise. Therefore, it proposed that the Cabinet agree for Financial Regulation 5.22 to be waived to allow the transfer of the waste management assets to the new service provider in November 2014.

The Director of Environment & Street Scene, when questioned, added that the vehicles in the waste management fleet was currently depreciated over a period of seven years.

Decision:

(1) That Financial Regulation 5.22 (Disposal of Assets) be waived in respect of the transfer of waste management assets from the Council to the next waste management service provider.

Reason for Decision:

To enable the transfer of the existing waste management assets to the incoming contractor at Net Book Value in November 2014.

Other Options Considered and Rejected:

None, other than to refuse the proposed waiver.

155. EXCLUSION OF PUBLIC AND PRESS

The Cabinet was requested to consider whether some of the debate for item 22, the proposed development at St John's Road in Epping, could be held in public as the local residents had had no information regarding these proposals. The Monitoring Officer responded that the report contained commercially sensitive information and that the report was in Part II of the meeting as the development proposals were also commercially sensitive. The Portfolio Holder for Asset Management & Economic Development added that a statement would be made informing residents of developments once this stage had been completed.

Decision:

(1) That the public and press be excluded from the meeting for the items of business set out below on the grounds they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
21	Disposal of a Council Asset – 10 Newmans Lane, Loughton	3
22	Proposed Development – St Johns Road, Epping	3

156. 10 NEWMANS LANE, LOUGHTON

The Housing Portfolio Holder presented a report on the proposed disposal of 10, Newmans Lane in Loughton.

The Portfolio Holder reported that the Council's property at 10 Newmans Lane, Loughton was suffering with major structural defects brought about by tree root damage. The Structural Engineer appointed to give advice to the Council had recommended that the property would need to be either underpinned or demolished and subsequently re-built. An offer had been received to purchase the Council's property at 10 Newmans Lane based initially on an Option Agreement in its current condition (Subject To Contract), with the balance payable within twelve months should the sale proceed. This was recommended for approval along with the proposal for the proceeds of the sale to be used for the Council's Housebuilding Programme.

Decision:

(1) That an Option Agreement for the freehold purchase of the 3-bedroom Council-house at 10 Newmans Lane, Loughton be entered into by the Council with Burney (Loughton) Ltd, based on a non-refundable deposit of £10,000;

(2) That should the Option be exercised by Burney (Loughton) Ltd within 12 months of the agreement being signed, the outright sale of 10 Newmans Lane, Loughton be agreed in the sum of the balance of £290,000, totalling £300,000, payable to the Council; and

(3) That the £300,000 received for the sale of 10 Newmans Lane, Loughton be allocated to the future Council House-Building Programme.

Reasons for Decision:

To comply with the Council's Financial Regulations.

Other Options Considered and Rejected:

To not accept the offer and undertake major structural repairs/re-build and re-let the property to an applicant on the Council's Housing Waiting List.

To market and sell the property in order to obtain a better return.

To leave the property empty and wait until the lease on the adjacent land came to an end, and then redevelop the whole site at that time.

157. PROPOSED DEVELOPMENT - ST JOHNS ROAD, EPPING

The Portfolio Holder for Asset Management & Economic Development presented a report concerning the proposed development of St John's Road in Epping.

The Portfolio Holder reported that a number of expressions of interest were received following a joint marketing exercise for the combined site in 2013, agreed by Essex County Council, Epping Town Council and the District Council. In total, twelve bids from residential developers, two bids from care home operators and three mixed use bids were received. The Cabinet was updated on the analysis of those bids, the liaison that had taken place between the three Councils and their appointed agents, and it was proposed that joint negotiations be entered into with Frontier Estates as the preferred bidder.

The Cabinet was informed the external agents had advised that in order to obtain a firm proposal from their recommended best offer then a fixed period of four weeks be given for further negotiations to explore in more detail the financial implications and community benefits of the proposed scheme. The outcome of the negotiations would be reported to the next available Cabinet meeting once they had been concluded.

The report was welcomed as an exciting and imaginative proposal for that part of Epping, which it was acknowledged had aroused great public interest. The Portfolio Holder was aware that the Citizens Advice Bureau was searching for new premises from which to base themselves from.

Decision:

- (1) That joint negotiations alongside Essex County Council and Epping Town Council be entered into with Frontier Estates as the preferred bidder for the combined site for a fixed period of four weeks; and
- (2) That the outcome of those negotiations be reported to the next available Cabinet following the conclusion of negotiations.

Reasons for Decision:

To maximise the financial and community benefits for all three Councils and local residents for the land in question.

Other Options Considered and Rejected:

To market all or parts of the site on an open tender basis and for the three Councils to consider the offers separately. However, this would run contrary to the partnership approach agreed by the three Councils.

CHAIRMAN