



**DECISIONS**

<b>Committee:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>Monday, 6 October 2014</b>

<b>Date of Publication:</b>	<b>14 October 2014</b>
<b>Call-In Expiry:</b>	<b>20 October 2014</b>

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 6 October 2014, which require publication in accordance with the Local Government Act 2000. The list specifies those decisions eligible for call-in and the date by which they must be called-in.

Those decisions that are listed as being “recommended to the Council...”, or request the Chairman of the Council to waive the call-in, are not eligible for call-in.

The wording used might not necessarily reflect the actual wording that will appear in the minutes, which will take precedence as the minutes are the official record of the meeting.

If you have any queries about the matters referred to in this decision sheet then please contact:

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**Call-In Procedure**

If you wish to call-in any of the eligible decisions taken at this meeting you should complete the call-in form and return it to Democratic Services before the expiry of five working days following the publication date. You should include reference to the item title. Further background to decisions can be found by viewing the agenda document for this meeting at: [www.eppingforestdc.gov.uk/local\\_democracy](http://www.eppingforestdc.gov.uk/local_democracy)

Decision No:
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**3. MINUTES**

**Decision:**

- (1) That the minutes of the meeting held on 8 September 2014 be taken as read and signed by the Chairman as a correct record.

## 7. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 17 APRIL 2014

### Decision:

#### Accelerating the Housebuilding Programme

- (1) That the report from the Chartered Institute of Housing (CIH) Consultancy on the options for funding an accelerated Council Housebuilding Programme and the associated implications be noted;
- (2) That the number of affordable homes developed in Phases 3-6 by the Council be increased from 20 to 30 per year;
- (3) That Homes & Community Agency (HCA) funding be sought, initially, for Phase 2 of the Housebuilding Programme at Burton Road, Loughton for 40 homes - based on a 56-home development, with the remaining homes in Phase 2 being funded from 1-4-1 Receipts and the other resources made available within the Housing Revenue Account (HRA) as a result of the other recommendations within the CIH Consultancy report;
- (4) That further bids for HCA funding be made in future years for future phases of the Housebuilding Programme, should the amount of 1-4-1 Receipts be less than forecast within the CIH Consultancy report, provided that the receipt of such HCA funding would not result in any 1-4-1 Receipts having to be passed to the Government;
- (5) That, as a policy, the minimum balance held in the HRA be reduced from £3 million to £2 million;
- (6) That the Council's HRA Self-Financing Reserve be re-profiled to release funds for the Housebuilding Programme in earlier years of the HRA Business Plan by increasing contributions to the Reserve in later years (closer to the HRA's first Public Works Loan Board loan maturing in 2021/22), whilst ensuring that sufficient resources had been accumulated within the Reserve to repay this first loan on maturity (subject to no further borrowing being undertaken to extend the Housebuilding Programme, as referred to in (9) below);
- (7) That 30% of the Council's accruing HRA attributable debt balances be utilised to help fund the accelerated Housebuilding Programme;
- (8) That the HRA's contribution to the Housing Improvements and Service Enhancements Fund between 2019/20 – 2021/22 (Years 7-9) be reduced by a sufficient amount to enable Phases 2 - 6 of the Housebuilding Programme to be funded (currently estimated at a reduction of £2.09 million - £2.24 million per annum, from £3.87 million per annum to £1.63 million - £1.78 million per annum), which would be dependent on:
  - (a) the outcome of the HCA funding bid;
  - (b) the amount of 1-4-1 Receipts received in 2014/15;
  - (c) the receipt of any further financial contributions received as a result of Section 106 Agreements;
  - (d) any property or land sales for which the Cabinet agreed the resultant receipt could be utilised to fund the Housebuilding Programme; and

- (e) any adjustments that had to be made to the amount allocated to the Fund in the intervening period, due to unforeseen and un-budgeted reasons affecting the HRA;
- (9) That, in principle, the Council Housebuilding Programme be extended by a further 4 years to 10 years, after the current Years 3-6, with an additional 30 new affordable homes provided each year;
- (10) That no decisions be made now on the most appropriate way of funding an extended Housebuilding Programme, but that consideration be given at an appropriate time in the future - and before any commitments were made or expenditure incurred; and
- (11) That the purchase of properties from the open market and/or the provision of local authority grant(s) to one of the Council's Preferred Housing Association Partners to fund affordable housing schemes in need of grant, continue to be kept as a contingency plan, should the amount of 1-4-1 Receipts still be in excess of the maximum amount that can be spent on the Housebuilding Programme, in order to avoid having to pass any 1-4-1 Receipts to the Government, with interest.

#### Phase II Feasibility Report – Burton Road, Loughton

(12) That, subject to Secretary of State consent, the former garage site and associated amenity land at Burton Road, identified for the development of Council Housebuilding, be appropriated for planning purposes under the provisions laid out in the Local Government Act 1972 and Town and Country and Country Planning Act 1990 on the grounds that the land was no longer required for the purposes for which it was currently held in the Housing Revenue Account;

#### Annual Report to Cabinet

(13) That the Annual Progress Report on the Council Housebuilding Programme be submitted to the Cabinet.

### **8. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 21 AUGUST 2014**

#### **Decision:**

#### Phase 1 and 2 Progress Report

- (1) That the current progress with regard to Marden Close and Faversham Hall, as well as Phases 1 and 2 of the Council Housebuilding Programme be noted, and in particular a reduced number of new affordable homes proposed at Burton Road, Loughton as Phase 2 from 56 homes to 52;
- (2) That the current budget position be noted, based on:
- (a) the Marden Close and Faversham Hall tender sum already agreed by the Housing Portfolio Holder in the sum of £890,000 (Works and Fees) for 12 new self-contained flats;
  - (b) the Phase 1 tender to be considered by the Cabinet taking account of further financial checks on each of the tenderers for 23 homes at Roundhills and Harveyfields, Waltham Abbey; and
  - (c) Phase 2 feasibility estimate of £8.9million (works and fees) for 52 new homes at Burton Road, Loughton; and

(3) That the Programme timetable attached at Appendix 1 of the report to the Cabinet Committee be noted.

**9. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE -  
18 SEPTEMBER 2014**

**Decision:**

Annual Outturn Report on the Treasury Management and Prudential Indicators  
2013/14

(1) That the revising of the Treasury Management Strategy Statement for the period 2014/15 to 2016/17 to permit lending to service providers with which the Council was in a contractual relationship be recommended to the Council for approval; and

Corporate Risk Register

(2) That the updated version of the Corporate Risk Register be approved; and

(3) That the inclusion of no new risks in the Risk Register at the current time be noted.

**10. NORTH WEALD BASSETT MASTERPLAN STUDY**

**Decision:**

(1) That the completion of the North Weald Bassett Masterplan be noted; and

(2) That the North Weald Bassett Masterplan be accepted into the Local Plan Evidence Base.

**11. MARKETING OF AN OPERATIONAL MANAGEMENT AGREEMENT AT  
NORTH WEALD AIRFIELD**

**Decision:**

(1) That the seeking of an operational partner to work with the Council to produce a business plan for aviation at North Weald Airfield be agreed;

(2) That the procurement and appointment of Marketing Agents up to an estimated cost in the sum of £60,000 be approved;

(3) That the terms of the appointment of the Marketing Agents be delegated to the Portfolio Holder for Asset Management and Economic Development;

(4) That, in order to progress the procurement and appointment of Marketing Agents in (2) above, a supplementary District Development Fund estimate in the sum of £60,000 be recommended to the Council for approval; and

(5) That a further report on the outcome of the marketing exercise be submitted to the Cabinet in due course.

**12. DELEGATION OF POWERS FROM ESSEX COUNTY COUNCIL UNDER THE FLOOD AND WATER MANAGEMENT ACT 2010 - REVISED AGREEMENT**

**Decision:**

- (1) That an agreement with Essex County Council be entered into to accept delegation of the powers and duties under sections 23, 24, 25 of the Land Drainage Act 1991, as amended by the Flood and Water Management Act 2010, for the consenting of works to and the enforcement of ordinary watercourses; and
- (2) That the agreement be based on the terms of a revised Letter of Understanding, due to Essex County Council's proposal to change the payment structure to the Council for carrying out the work.

**13. SURVEY OF THE RIVER RODING AND ASSOCIATED BRIDGES IN THE RODING VALLEY RECREATIONAL AREA**

**Decision:**

- (1) That, in order to assess the condition of the River Roding and the risk of damage to the bridges and other assets, a technical survey be carried out of the entire length of the River Roding where it flowed through Council owned land in the Roding Valley Recreational Area (RVRA);
- (2) That a District Development Fund growth bid in the sum of £15,000 be made for 2015/16 for the appointment of specialist engineering surveyors; and
- (3) That the findings of the survey and any recommended action be reported to a future meeting of the Cabinet.

**14. APPROPRIATION OF LAND AT BURTON ROAD, LOUGHTON**

**Decision:**

- (1) That, in accordance with the previous decision of the Council Housebuilding Cabinet Committee, the former garage site and associated amenity land at Burton Road, ('the Land') (as shown edged red on the plan attached to the report) identified for the development of Council House Building, be appropriated for planning purposes under provisions laid out in Section 122 of the Local Government Act 1972 ('the 1972 Act') and Section 226 (1) (a) of the Town and Country Planning Act 1990 ('the 1990 Act') on the grounds that the Land was no longer required for the purposes for which it was currently held (as under-utilised garages and grassed amenity land) in the Housing Revenue Account;
- (2) That the Housing Portfolio Holder be delegated authority to sign a memorandum confirming the Cabinet decision that the Land had been appropriated from housing purposes to planning purposes prior to the planning application being submitted;
- (3) That the Leader of the Council be requested to amend the Terms of Reference for the Council Housebuilding Cabinet Committee to delegate authority to the Cabinet Committee to appropriate Council-owned land, held for housing purposes and identified for Council housebuilding for planning purposes under provisions laid out in Section 122 of the 1972 Act and Section 226 (1) (a) of the 1990 Act on the grounds that the land was no longer required for the purposes for which it was currently held in the Housing Revenue Account; and

(4) That, for future development sites where consent from the Secretary of State would be required and pursuant to Section 19 of the Housing Act 1985 insofar as required, the Director of Communities be given delegated authority to apply to the Secretary of State for Communities and Local Government for such consent, and subject to receipt of that consent, to advertise the Council's intention to make the appropriation in accordance with the provisions of Section 122(A) of the 1972 Act.

## **15. EPPING TOWN NEIGHBOURHOOD AREA CONSULTATION**

### **Decision:**

(1) That, following the receipt of representations, a neighbourhood area be designated covering the Parish of Epping Town; and

(2) That future decisions to designate neighbourhood areas be delegated to the Director of Neighbourhoods, following consultation with the Portfolio Holder, where the area covered the whole parish and there were no objections.

## **16. INTEGRATED PAYROLL/HUMAN RESOURCES ICT SYSTEM**

### **Decision:**

(1) That a bid for capital expenditure in the sum of £80,000 in 2015/16 be made to purchase an Integrated Payroll/Human Resources IT System; and

(2) That the procurement evaluation criteria for selecting a provider be based on 60% price and 40% quality.

## **17. ICT CAPITAL REQUIREMENTS - 2015/16**

### **Decision:**

(1) That the proposed projects scheduled for progress during the financial year 2015/16 be agreed;

(2) That a sum of £200,000 be included in the Capital Programme for 2015/16 for the following ICT projects:

(a) BACS (Banker Automated Clearing Service) electronic payment system replacement;

(b) UPS (Uninterruptable Power Supply) Replacement;

(c) PC Remote management tools; and

(d) implementation of other projects identified from the ICT Strategy to improve productivity/efficiency or maintain service; and

(3) That £75,000 be included in the Capital programme for 2015/16, as a contingency sum for the Corporate Flexible working roll-out.

## **18. REVIEW OF FLEET OPERATIONS SERVICE**

### **Decision:**

(1) That the report produced by WYG Environment Limited on the review of the in-

house Fleet Operation Service (FOS) be noted; and

(2) That a two staged approach for scaling down the Fleet Operation Service and relocating to a smaller vehicle maintenance workshop at Oakwood Hill be agreed.

## **20. EXCLUSION OF PUBLIC AND PRESS**

### **Decision:**

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph No.</u>
22	Re-purchase of the former Council property at 79 London Road, Stanford Rivers	3
23	Proposed Development of St Johns Road, Epping	3

## **21. PROPOSED DEVELOPMENT OF ST JOHNS ROAD, EPPING**

### **Decision:**

(1) That Essex County Council's land holding in the St John's Road Development site be acquired for a consideration not exceeding the sum agreed by the Cabinet;

(2) That the consideration be comprised of a combination of land, being Lindsey House, Epping at a value negotiated by the Council's agent, Savills, and the balance in money;

(3) That a supplementary Capital estimate in the sum of £1million be recommended to the Council for approval;

(4) That negotiations to defray the additional cost to the Council be continued with both Epping Town Council and Frontier Estates; and

(5) That authority be delegated to the Portfolio Holder for Asset Management and Economic Development in consultation with the Director of Governance to agree amendments to the Heads of Terms approved on 21 July 2014 to reflect any consequential changes arising from the decisions above.

## **22. RE-PURCHASE OF THE FORMER COUNCIL PROPERTY AT 79 LONDON ROAD, STANFORD RIVERS**

### **Decision:**

(1) That the pre-emption rights right under the Housing Act (Right of First Refusal) (England) Regulations 2005 be exercised by the Council to re-purchase the three bedroom former Council Property at 79 London Road, Stanford Rivers, Ongar for an agreed sum plus stamp duty, legal expenses and costs;

(2) That, once re-purchased, the garden be subdivided to form a development site and the land be added to the list of potential development sites for either future Council housebuilding (subject to planning approval), or disposed of as determined by

the Council Housebuilding Cabinet Committee;

(3) That the property at 79 London Road, Stanford Rivers be re-let at a social rent level through the Council's Choice-based lettings procedure to an applicant on the Council's Housing Register;

(4) That the re-purchase be funded from the existing Capital Programme Budget for Council Housebuilding, funded by an appropriate mixture of 1-4-1 Right to Buy (RTB) Receipts, Section 106 contributions identified for use on affordable housing and Revenue Contributions for Capital Outlay (RCCO) as determined by the Council Housebuilding Cabinet Committee; and

(5) That the Chairman of Council be requested to waive the call-in for this decision on the grounds that there was insufficient time to wait for the call-in period to expire before the very tight and prescriptive timescales set out in The Housing Act (Right of First Refusal) (England) Regulations 2005 expired on 9 October 2014.



