

Supplementary Council Agenda



**Epping Forest
District Council**

Council Tuesday, 28th October, 2008

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Committee Secretary: Council Secretary: Ian Willett
Tel: 01992 564243 Email: iwillett@eppingforestdc.gov.uk

6. PUBLIC QUESTIONS (IF ANY) (Pages 3 - 4)

To answer the attached public questions asked after notice in accordance with the provisions contained in paragraph 9.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District.

8. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 5 - 10)

To receive the attached reports from the Housing Portfolio Holder and the Planning and Economic Development Portfolio Holder on matters falling within their area of responsibility.

12a REPORT OF THE CABINET – COUNCIL'S INVESTMENTS (Pages 11 - 14)

Report attached.

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Public Questions

(a) Gypsy & Traveller Development Plan Document – Public Consultation

(i) Question from Sue De Luca, Clerk to the North Weald Bassett Parish Council

“The report to Cabinet dated 6 October and the draft consultation clearly states that the District Council will "consult widely with residents and that they anticipate a great deal of public interest also that they want to make sure that everyone can have their say through a properly structured debate". It also states that Town and Parish Councils will be encouraged to help provide feedback.

This can only be fulfilled if all residents are provided with copies of the consultation document and questionnaire. Obviously Parish & Town Councils have not precepted for the funds to provide these documents .

Therefore, I on behalf of the Members of North Weald Bassett Parish Council am asking that the District Council provide all those Parish & Town Councils (if they so request) who have potential sites for Gypsies and Travellers identified as being within their parish, with sufficient numbers of copies of the consultation document and questionnaire enabling them to be delivered to all homes in their parishes”.

(ii) Question from Mr David Jenkins

"Is it not premature, and will it not cause unnecessary concern and stress to the public , and waste public money, to go to the public with a consultation document that is premature, in that many of the 'potential' sites will be excluded by the Council once it has the results of its proposed site and environmental assessments?"

(iii) Question from Mr Paul Norris

“Will the Council please make available the audit trail leading to identification of the sites contained within this document as ‘potential’ sites, the removal of some sites considered to be unsuitable, and a list of those sites?”

(iv) Question from Parish Councillor Elaine Godwin-Brown, North Weald Bassett Parish Council

"Appendix 1 page 10 (of the Report to the Cabinet meeting on 6 October 2008) states that there has not been a single published research on whether house prices would go down or whether incidents of crime would go up.

How can the settled community be expected to give their views when there is no previous published research for them to refer to?"

(v) Question from Toby Godwin-Brown (Mr Godwin-Brown is unable to be present and has asked the Chairman of the Council to ask the question on his behalf in accordance with paragraph 9.7 of the Council Procedure Rules)

"Why is there no buffer zone around the sssi - specific site of scientific importance - (Woodside and Forest), when Government guidelines states that there should be?"

Report to the Council

Subject: Housing Portfolio

Date: 28 October 2008

Portfolio Holder: Councillor David Stallan

Item: 8(h)

Recommending:

That the report of the Housing Portfolio Holder be noted.

Call for Sites – Call-in

Following the recently issued “call for sites” from all land-owners, as a major landowner, the Council has reviewed its own land-holdings. I identified and agreed five sites on the Debden Estate, Loughton as being suitable for residential development in the future.

Following my decision being called in, the Overview and Scrutiny Committee referred the matter back to myself for further consideration.

I subsequently decided that consideration of these five sites will be deferred, and they be considered along with all identified Council-owned sites as part of a review of all potential development sites (for all development purposes) within the District.

All sites will be assessed on the basis of a single set of criteria currently being prepared by the Portfolio Holder for Planning and Economic Development.

In reaching my decision, I accepted that all potential sites should be dealt with together in a co-ordinated way and assessed against a single set of criteria. I believe it would not be beneficial to the Council’s Local Development Framework preparation to have different criteria for sites in different types of ownership. I have also directed that all the reservations raised by the Overview and Scrutiny Committee when considering the call in, should be taken into account.

Parking Enforcement on Housing Estates

The Housing Scrutiny Panel considered options to resolve the increasing problems with parking and increased congestion on housing estates. In order to ease the problem the Cabinet agreed at its meeting on 1 September 2008 that the maximum amount of grassed verge to be removed in order to construct a vehicular crossover to allow residents to park their vehicle/s in their front garden be increased from 6 metres to 12 metres in length. The Cabinet agreed an additional requirement that ward members be consulted prior to approval of any crossover between 6 and 12 metres in length. Furthermore, additional budget provision has been made available to fund further off-street parking schemes.

The Housing Scrutiny Panel also considered at its last meeting, the increase in complaints from the public about unauthorised parking on grass verges causing damage to the open green spaces. When enforcement action is taken other residents complain about having nowhere to park with cars being displaced into already heavily congested side streets.

I am therefore submitting a report to Cabinet asking that consideration be given to a draft policy on the approach to be taken on unauthorised parking.

Fire at Jubilee Court, Waltham Abbey

On 26 September there was a fire at the Council's sheltered housing scheme, Jubilee Court, Waltham Abbey. Fortunately no one was hurt. The fire emanated from the kitchen of one of the flats. Careline were alerted via the alarm system and they called the Fire Brigade. Council staff were on-site within 15 minutes. Only one flat was affected which is now uninhabitable and requires major repairs. The resident was moved on a temporary basis into the emergency flat at the same scheme. The Council has now moved the resident, at his own request, permanently into an alternative flat at the scheme. I would like to pass on my thanks to all housing staff who responded.

Allotment at Parsonage Court, Loughton

Leisure Services have recently established an allotment at the Council's sheltered housing scheme, Parsonage Court in Loughton. This was created as part of the Active Life Initiative which is a joint venture involving Sports and Health Development, the Housing Directorate and Voluntary Action Epping Forest. An official opening took place on 21 October which was well attended. The initiative is a pilot which, if successful, will be considered at other sheltered housing schemes.

Housing Tree Budget

The amount of maintenance work required to trees on Housing land throughout the District continues to increase, which has resulted in a backlog of work valued at around £26,000.

In addition, an urgent programme of tree and shrub maintenance work is needed on the Shernbroke Road side of the Ninefields Estate, Waltham Abbey which includes felling a number of trees, many of which are in danger of causing subsidence to properties, at a cost of around £38,000. I will be submitting a report to the next Cabinet to consider that a supplementary estimate of £64,000 is recommended to Full Council, funded from HRA balances, in order for this work to be undertaken as soon as possible.

Report to the Council

Committee: Cabinet

Date: 28th October 2008

Subject: Planning and Economic Development Portfolio

Portfolio Holder: Councillor Anne Grigg

Item: 8(j)

Recommending:

That the report of the Portfolio Holder for Planning and Economic Development be noted.

Call for Sites - Local Development Framework

There has been a significant response to the Council's Call for Sites with approximately 200 responses already received in respect of sites across the District. A further exercise must be undertaken to ensure that all Council owned sites with potential for development or use/re-use for any purpose over the next 20 years are included. This will ensure that all possible future options for meeting the needs of the district are investigated. Such sites will include the Condor Building of the Civic Offices site, various Depots around the district, North Weald Airfield, opportunities within the existing Council housing stock and leisure sites. It will also be necessary to ensure that all other public bodies have submitted all possible opportunities in the same light.

The criteria for assessing all of the sites that have been put forward, and any others that may be identified by Officers will be discussed by the LDF Portfolio Holder Advisory Group. I will take a view on whether I consider it appropriate to approve these myself as Portfolio Holder, or recommend them for agreement by the Cabinet. The assessment criteria will include matters such as site location in relation to services, access to public transport & open spaces, environmental constraints including flood risk and nature conservation designations, and the current and potential uses and the timescale in which these could be delivered. There will need to be weighting mechanism applied to these assessments in order to give a clear view on the sites that are most suitable for development of different kinds. It should be remembered that this site assessment will not be undertaken in isolation of other technical work that is currently being carried out, and that issues such as education provision, capacity of the transport network, and provision of health facilities will all be incorporated into the full evidence base that will support the preparation of the Core Strategy.

White Water Rafting - Olympic site

I attended a Planning meeting on 30 September 2008 at Broxbourne Borough Council. The meeting was considering the Olympic Delivery Authority's application for the construction of a White Water Rafting Canoe Centre and associated facilities for the London 2012 Olympic Games at the Lee Valley Park. There was a presentation in respect of the application, then a general debate, followed by Broxbourne Borough Council granting planning consent, subject to a considerable number of conditions (39). On behalf of Epping Forest District Council, I congratulated Broxbourne Borough Council on the exciting prospect of having an Olympic site selected in their area. I also spoke of the adverse impact, on our local roads in Waltham Abbey, of large numbers of vehicle movements associated with engineering, construction works and possible importation of inert waste for the Olympic venue. In light of the potential impact on local roads, I sought an amendment to one of the planning conditions to ensure that, in addition to the Highways Authority, Epping Forest District Council was consulted on the Construction Traffic Management Plan. This was agreed.

Gypsies and Travellers Sites

The Government has directed Epping Forest District Council to produce a Development Plan in respect of sites for Gypsies and Travellers. A consultation document containing potential sites for Gypsy and Travellers has, therefore, been prepared by a consultant employed by the Council. This is a matter that will concern a large part of the District and in order to ensure the widest possible debate, the matter was discussed at Cabinet on 6 October with a recommendation that the document is considered by Full Council on 28 October 2008. The consultation process will run from 4 November 2008 to 20 January 2009. Residents will be encouraged to make comments on line at www.eppingforestdc.gov.uk. There will also be a paper version which can be obtained from the Council and returned Freepost to the Civic Offices. It will also be discussed at the Local Councils' Liaison meeting on 5 November 2008.

Loughton Town Centre Enhancement - Trees

Essex County Council Highways have confirmed that they have passed the details to their Law and Administration team to prepare a notice for adoption of the area of land in question. Essex County Council's intention is to adopt the piece of land so that trees can be planted as requested.

Loughton Town Centre Enhancement - Phases 3 and 4

Essex County Council Officers have been charged with looking at the feasibility of delivering phases 3 and 4. The Director of the Environment and Street Scene has provided them with background information.

Loughton Broadway Town Centre Enhancement Scheme

Technical approval has still not been received from Essex County Council in respect of the revised scheme and issues have now arisen with regard to the lighting scheme. In the light of concerns, it has been agreed to undertake a visual inspection of the Broadway to determine whether more detailed tests should be undertaken before fully committing to commence. A meeting is being sought with Cllr Hume, Essex County Council Portfolio Holder for Highways and Transportation to discuss the issues.

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Report to the Council

Committee: Cabinet

Date: 28 October 2008

Portfolio Holder: Councillor C Whitbread

Item:

1. COUNCIL'S INVESTMENTS

Recommending:

That the Council's current investments be noted.

Background

1. In the light of unprecedented turbulence being experienced in financial markets with stock markets suffering dramatic falls and numerous banks and insurance companies being rescued by their governments or going into administration, we have considered the Council's Treasury Management Strategy, investment position and the risks currently being faced. In the interests of good governance we consider it appropriate to report this matter to the Council. The Portfolio Holder will provide an oral update at the Council meeting if there have been any further significant developments since our meeting.

Treasury Management

2. The Council's Treasury Management Strategy is approved annually as part of the budget setting process. Currently the strategy allows up to £12 million to be invested with banks that have a short-term rating of F1+ and a long-term rating of AA-. Whilst a maximum of £5 million can be invested with banks having a short-term rating of F1 and a long-term rating of A.
3. The credit ratings are provided by three agencies, Fitch, Moody's and Standard & Poor, and are then consolidated by the Council's advisers (Butlers) into a list of approved counter parties. This list shows the various financial institutions whose credit ratings meet the Council's requirements and, based on their credit ratings, the amount and the length of loan that the Council will enter into with them.
4. In view of the increasing size of the investment portfolio, and the need to ensure an adequate diversification of risk, the Council decided to expand the counter-party list to include building societies and foreign banks in February 2005. This was in line with Government guidance and took place as part of the implementation of the Prudential Code. The additional financial institutions were subject to the same credit rating requirements and limitations.

Icelandic Banks

5. Icelandic banks were included on the expanded counter-party lists as their credit ratings were good. The rates of interest offered by the Icelandic banks were competitive and a number of loans were entered into with them. In the seven-month period from 19 April 2007 to 15 November 2007 some twelve loans with a cumulative value of £17 million

were transacted. All of these loans were repaid without problems on their due dates. However, concerns raised informally by members late in 2007 meant that no new loans were entered into with banks based in Iceland after 15 November 2007. When considering these comments the status of Heritable Bank was reviewed and given the greater degree of confidence in it, as a bank registered and regulated in the United Kingdom, it remained on the counter-party list. This view was based on the strength of the credit ratings awarded to Heritable and the monitoring and regulation undertaken in the United Kingdom by the Financial Services Authority.

6. Heritable Bank had an "A" rating and so, in accordance with the Council's Treasury Management Strategy, could be lent up to £5 million. On 10 September 2008 a loan of £1.5 million was made to Heritable, the loan is due for repayment on 18 May 2009. This was followed on 15 September 2008 with a loan of £1 million, due for repayment on 18 June 2009. On 25 September the Fitch credit rating agency issued an update confirming the status of Heritable as "A" rated.
7. On 7 October, due to the difficulties being experienced by its Icelandic parent company, Heritable Bank was placed in administration. The ordinary savers accounts were transferred to the ING bank. However, the wholesale deposits were retained and form part of the administration that Ernst & Young have been appointed to manage. As more information emerged it became clear that over 100 local authorities have deposits that have been affected by the collapse of the Icelandic banking industry. The Local Government Association (LGA) are lobbying both the central Government in this country and the administration in Iceland to try and safeguard the £1 billion that is at stake. It will probably be some time before a clear picture emerges of any outcomes from the LGA campaign.
8. Some favourable comments have been made about the asset base of Heritable and the early comments of the Administrators support that view. A clearer picture is unlikely to be available until mid-November but the following joint statement was issued by the LGA and Ernst & Young on 14 October: 2008:

"In broad terms, the Administrators considered that the value of the book value of the assets of each business appeared to be of the same magnitude as the liabilities but that the recoveries for the Local Authorities would be dependant on the final level of actual realizations."

Other Investments

10. The Council's treasury advisers (Butlers) are providing regular updates to our approved counterparty list as the different financial institutions have their credit ratings amended. We are continuing to adhere strictly to the Council's policies and new loans are only entered into with those meeting our requirements. It was previously considered that the benefit of investing with highly rated counterparties was that these institutions would be of sufficient size that their governments would not let them fail. This has proved to be the case with both Northern Rock and Bradford and Bingley where the Government has intervened to ensure that both private and corporate deposits have been safeguarded. The money that the Council had invested with Northern Rock was returned on the due date. There is still a loan of £1.5 million with Bradford and Bingley, due for repayment on 18 March 2009, which is covered by the Government guarantee.
11. The largest exposure in the investment portfolio is with Halifax Bank of Scotland (HBOS), which currently has £12 million of the Council's money. HBOS are subject to a Government sponsored take over by Lloyds TSB and as long as this transaction takes place the Council's funds will be safe.

12. On 30 September 2008 the Irish Government put in place a guarantee of both retail and wholesale deposits for two years. The Council had previously invested with Irish institutions and is now doing so more actively. The investment portfolio currently totals £63 million and of this £11.5 million is currently spread between four different Irish institutions.
13. The extraordinary events of recent times are still producing dramatic surprises and on 13 October 2008 it appeared that the Royal Bank of Scotland (RBOS) was going to be nationalised. Whilst the Government may not now take a controlling interest, their support provides additional confidence in RBOS and the Council will consider making additional investments with it. One deposit of £5 million is already with RBOS and, after allowing for the £2 million of funds kept in an account for instant access, up to a further £5 million could be placed with them.

Audit

14. Treasury Management is audited annually by Internal Audit and the work done in 2007/08 provided satisfactory assurance in the system. However, in order to assist with the development and implementation of additional controls the Director of Finance & ICT has requested that the audit of the system for 2008/09 be brought forward.
15. We will be receiving further reports will follow as necessary until the financial markets have regained some degree of stability.
16. The Council is asked to note the current position.

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