

# Supplementary Council Agenda



**Epping Forest  
District Council**

## **Council Tuesday, 29th September, 2009**

**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

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### **7. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 3 - 8)**

To receive the attached reports from the Housing Portfolio Holder and the Performance Management Portfolio Holder on matters falling within their areas of responsibility.

### **10. QUESTIONS BY MEMBERS UNDER NOTICE (Pages 9 - 10)**

To answer the attached questions to the Leader of the Council asked after notice in accordance with the provisions contained in paragraph 10.3 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.

Council Procedure Rule 10.4 provides that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

**12A REPORT OF THE CABINET – EPPING FOREST COLLEGE, LOUGHTON –  
RELEASE OF RIGHT OF PRE-EMPTION (Pages 11 - 14)**

To consider the attached report.

In accordance with Section 100B(4) of the Local Government Act 1972 and Council Procedure Rule 2.1 (xi), the Chairman has deemed this item as urgent business in order to prevent an undue delay in proceeding with the matter.

## ***Report to the Council***

**Committee:** Cabinet

**Date:** 29 September 2009

**Subject:** Housing Portfolio

**Portfolio Holder:** Councillor David Stallan

**Item 7(f)**

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### **Recommending:**

**That the report of the Housing Portfolio Holder be noted.**

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### **“Repairs Refresh Programme” – New Approach to Repairs Delivery**

Following the review of the delivery of the Housing Repairs Service, and the Cabinet's strategic decision to provide a more streamlined and efficient delivery (called the “Repairs Refresh Programme”, good progress has been made. In accordance with the strategy, the size of the Council's Direct Labour workforce is being reduced through natural wastage, and more repairs are being undertaken by small contractors through existing and new framework agreements. A consultant has been appointed to provide guidance on the appointment of a private repairs management contractor to become responsible for the Repairs Service, and to provide the new Housing Repairs Manager. The Consultant has produced a Project Initiation Document (PID), which has been endorsed by the Repairs Advisory Group. At its meeting on the 21<sup>st</sup> September 2009, the Repairs Advisory Group also agreed a proposed staffing structure for the Repairs Service, merging the existing Housing Repairs Section (“client”) with the Building Maintenance (DSO) Section “Contractor”. Staff and unions are shortly to be consulted on the proposals, following which a report on the proposed merged structure will be submitted to the Cabinet in November 2009.

It is very pleasing to report that, for the first time since records began, the Building Maintenance Section achieved and exceeded its three key targets for response times for repairs in the first Quarter of 2009/10.

### **Marden Close, Chigwell – Remodelling of Accommodation**

At the Cabinet meeting held on 7 September 2009, it was agreed that the existing 20 difficult to let bedsits at the Council's sheltered housing scheme at Marden Close, Chigwell Row should be transferred to one of the Council's Preferred RSL (housing association) Partners to undertake an improvement scheme to convert the bedsits into ten flats for general needs couples on the Council's Housing Register. It is envisaged that a capital receipt will be received for the transfer, which will be used to provide Social Housing Grant for another (currently unidentified) affordable housing scheme within the District. As part of the proposals for the area, the District Council is also in discussions with Chigwell Parish Council about the possibility of the Parish Council having a lease for Faversham Hall (currently used by other residents) to let to community groups. Alternatively, the Hall could be converted into two new flats.

## **Local Housing Company**

The Cabinet has agreed to investigate the legal implications of setting up a local housing company, which would operate at arms-length from the Council, to which the Council could provide capital loans for the Company to purchase new properties off the open market to let at market rents. Not only would this venture provide more income to the Council than its current investments, the properties could be let to homeless families and other applicants on the Council's Housing Register, with rents set at Housing Benefit Levels. A further report on the feasibility of this initiative will be considered by the Cabinet once we have received a detailed report on the legal and financial issues and implications.

## **Interim Shared Ownership Policy**

The Cabinet has agreed to continue with its Interim Shared Ownership Policy, whereby the Council will allow RSLs that are having difficulty selling shared ownership properties, to operate a "Rent Now Buy Later" Scheme. Under the scheme, applicants would initially be able to fully rent a property at an intermediate rent (around 80% of market rents) and then be given the opportunity to purchase tranches of equity – up to full home ownership – over future years. The policy will be reviewed in six month's time.

## **New Homelessness Strategy**

Following consultation and consideration by the Housing Scrutiny Panel, I have agreed the adoption of a new Homelessness Strategy, setting out the current needs, plans and initiatives relating to homelessness in the District. It is pleasing to report that good progress continues to be made with preventing homelessness, especially in these difficult economic times, which has been recognised by the Government with additional funding given to the Council for further homeless prevention initiatives.

## **Membership of the Association of Retained Council Housing (ARCH)**

I have decided that it would be in the Council's interest to join the Association of Retained Council Housing (ARCH), which provides services and advice to local authorities that have retained their housing stock, and provides a united voice to lobby Government and other organisations to safe-guard the interests of such councils. With the Government's current consultation on a major reform of the Housing Revenue Account subsidy system, it is essential that local authorities work together to ensure the best deal and ARCH is at the forefront of these discussions.

## **Tour of Housing Sites for Members**

It is disappointing to report that, since only three members expressed an interest, the planned Tour of Housing Sites for Members on the 15 September 2009 had to be cancelled. This is regrettable, since it was my view that Members would have found such a tour very interesting informative and enjoyable.

## **Zimbabwe Resettlement Programme**

Council's in the South of England have been asked by the Local Government Association (LGA) and the Department of Communities and Local Government (CLG) to assist with the Government's Zimbabwe Resettlement Programme. As the humanitarian situation in Zimbabwe has declined, the Government has created a programme offering assistance in resettling in the U.K. those older British people who are unable to make their own arrangements. The scheme is open to those aged 70 years or over and younger people who are unable to look after themselves without support.

I have agreed to the initial provision of five difficult to let bedsits and flats in sheltered housing schemes for the Resettlement Programme.

The Council will receive £3,000 per property to provide furniture and to make the properties ready, plus £1,500 for our Scheme Managers to provide “resettlement support” and a further payment for our Scheme Managers to provide on-going housing related support for the first two years.

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## ***Report to the Council***

**Committee:** Cabinet

**Date:** 29 September 2009

**Subject:** Performance Management Portfolio

**Portfolio Holder:** Councillor Richard Bassett

**Item 7(i)**

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### **Recommending:**

**That the report of the Performance Management Portfolio Holder be noted.**

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I have now started to get to grips with this Portfolio and realize how important it will be over the next few years to ensure all service areas are performing with high efficiency and delivering value for money. As well as this we need to be responsive and to invest in new initiatives and partnerships and we will be investigating opportunities in this area. We are fortunate as we are a no debt council which does help with the financial position but interest rates are low and some of the returns on our investments have dropped so to keep our position as a low tax council we need to continually identify areas where the council can improve. The economic climate will be slow to improve and with the high level of government debt we see only reductions in our income but possible increases in our expenditure.

The emphasis will obviously be on maintaining front line services and we will be looking at how we can do this yet achieving improved performance. At the same time we will be managing discretionary expenditure very tightly and budgets in this area will be closely monitored. Obviously this could impact the voluntary sector but we will be looking at helping them access other grants that are out there and our grant finder software will prove useful as it has helped us increase the grants we have accessed this year.

Improving efficiency is not only reducing costs as we can also achieve it by increasing revenues. I have spoken with officers to look for initiatives where we could offer services to businesses, such as shared emergency planning and business continuity, as well as looking at how we meet our own business requirements. It is early days but there are possibilities to be explored and I hope to provide more information later in the year.

I have started reviewing Emergency Planning and will be looking for suggestions on how we can produce a more interlinked plan with our parishes. We also have started to review the new requirements of the Pitt report on the flooding in the summer of 2007. A Task and Finish Panel has been set up to look at this and I will be reviewing their report with the Environmental Portfolio Holder on the impact to our emergency planning.

As part of the above I am looking forward to the report on the council by the Audit Commission as it will highlight some initial areas for review. However we are already working on several areas and there will be a report to the next Audit and Governance Committee on Building and Maintenance Works Unit performance improvements. I am also carefully looking at the reports from the Internal and External Audit groups again for areas which can see performance improvements.

I also have attended a meeting of the Finance and Performance Management Scrutiny Panel where Q1 key performance indicators were presented and discussed. I was disappointed in several areas and asked for copies of all improvement plans which I will be reviewing.



## **Questions by Members under Notice**

### **(a) Local Development Framework Studies**

#### **By Councillor Mrs C Pond to Councillor Mrs D Collins, Leader of the Council**

“(i) What consultation will take place with members, parish councils, amenity and residents' associations etc in preparing the LDF Landscape Sensitivity Study, and the LDF Planning for Open Space, Sport and Recreation Audit and Assessment, and over what period?

(ii) How will the review of the designation of wildlife sites will be conducted following receipt of the LDF phase I Habitat study”.

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## ***Report to the Council***

**Committee:** Cabinet

**Date:** 29 September 2009

**Portfolio Holder:** Councillor Mitchell Cohen

**Item:** 12A

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### **1. EPPING FOREST COLLEGE, LOUGHTON - RELEASE OF RIGHT OF PRE-EMPTION**

#### **Recommending:**

... (1) That the release of the right of pre-emption in respect of an area of approximately 0.95 acres/0.38 hectares shown edged black only on the attached plan be agreed subject to Epping Forest College constructing new sports facilities when funding becomes available; and

(2) That the means of achieving the new sports facilities be agreed by the Legal and Estates Portfolio Holder and the Director of Corporate Support Services.

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#### **Background**

1. The current Epping Forest College site was transferred in 1952 to Essex County Council by the then London County Council (LCC). The transfer was subject to covenants and a Right of Pre-emption which are now vested in the District Council (as successor to the LCC in this case). Essex County Council interests are now vested in the Epping Forest Further Education Corporation.
  2. The covenants restrict the use of the land to use of the purposes of the Education Act 1944 and/or the National Health Services Act 1946 and require approval for the erection of any building.
  3. In 1998 the District Council agreed to a request from Epping Forest College to release the restrictive covenant free of charge from surplus land, comprising 7.9 acres/3.2 hectares. On 10 April 2006 approval was given to release the same covenant from an additional 5.93 acres/2.4 hectares to facilitate residential development and investment of the capital receipt into the re-development of the College Campus.
  4. On 18 December 2007 the Council resolved that its Right of Pre-emption be not exercised in relation to Loughton Hall and the Library site adjoining the College. This land is shown by black hatching on the attached plan. It was also agreed that the restrictive covenant affecting Loughton Hall be released and replaced with the following new covenants:
    - (a) prohibiting the use of the hall for any purpose other than residential care home, community, education or health purposes; and
- ...

(b) specifically prohibiting the use of the hall for any residential purpose other than as a residential care home.

5. On 9 June 2008 the Cabinet agreed that nursing home use be included in the restrictive covenant in addition to the residential care home, community, education or health purposes previously agreed.

### **Current Proposals**

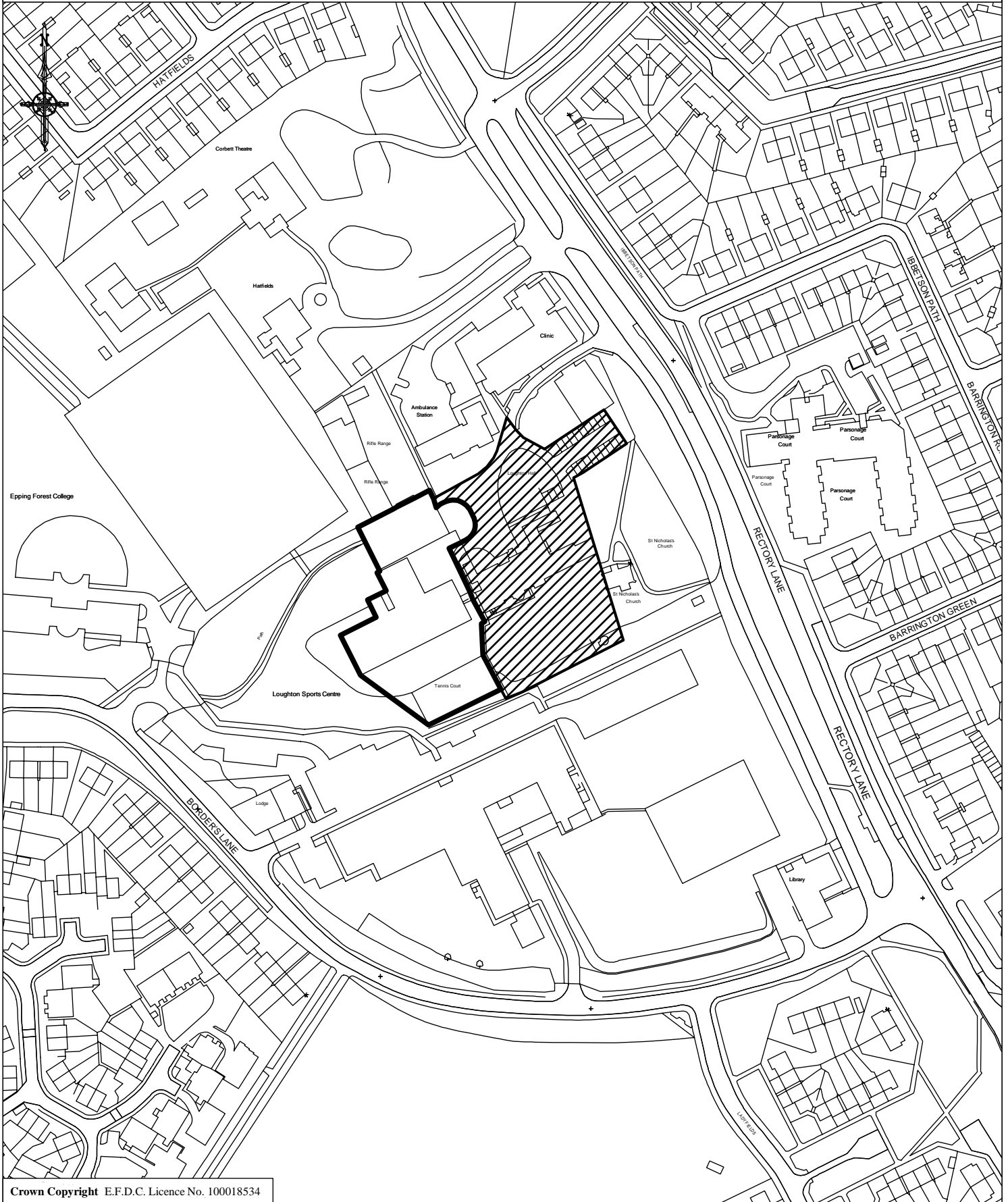
6. Epping Forest College now wish to dispose of an area of land on which is located a Sports Hall, previously occupied by the Debden Community Association. This is shown edged black only on the attached plan. The College has been approached by a health care provider, who wishes to purchase the land in order to provide a residential health care facility for the elderly. The provider is aware of the similar use for Loughton Hall.
7. The disposal of the land is seen as a benefit for both the College and potentially for the wider community, particularly if replacement sports facilities could be provided, possibly on the Luctons Playing Fields in Borders Lane. However, due to the College's current financial position, whilst they may have aspirations to provide new sports facilities, the management of the College have indicated that any capital receipt generated from the disposal of the Sports Hall site will be required to service existing debt.
8. The existence of the right of pre-emption is a particular concern to the College, especially within the context of the weak property market. This requirement imposes additional uncertainty to both potential purchasers and financial institutions, required to fund development of the site. If the Council wishes to exercise its right of pre-emption it is required to purchase the land and buildings at market value. It is unlikely that the buildings on site would match any future requirement of the Council so that any purchase of the site by the Council would be unlikely to represent best value.

### **Recommendation**

8. We are recommending release of the right of pre-emption subject to the College giving a commitment to construct new sports facilities as and when future funding becomes available.



# EPPING FOREST DISTRICT COUNCIL



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Project

Drawing No.

200907026

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Content

Epping Forest College Land  
Adjoining Loughton Hall

Date

03.08.09

Scale

1:1500

Drawn by

Robert Irwin

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