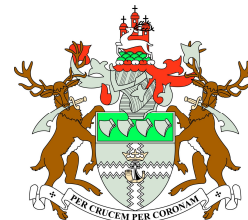


Supplementary Council Agenda



Epping Forest District Council

Council Tuesday, 27th July, 2010

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

6. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET (Pages 3 - 12)

To receive reports from the Leader, Chairman of the Overview and Scrutiny Committee and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Chairman of the Overview and Scrutiny Committee;
- (c) Report of Environment Portfolio Holder;
- (d) Report of Finance and Economic Development Portfolio Holder;
- (e) Report of Housing Portfolio Holder;
- (f) Report of Legal and Estates Portfolio Holder;
- (g) Report of Leisure and Wellbeing Portfolio Holder;
- (h) Report of Operational Planning and Transport Portfolio Holder;
- (i) Report of Performance Management Portfolio Holder; and
- (j) Report of Safer and Greener Portfolio Holder

10. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATES (Pages 13 - 16)

To consider attached report.

11. REPORT OF THE CABINET - SHARED OLYMPIC OFFICER POST

The decisions taken by the Cabinet did not require a report to Council..

12. REPORT OF THE CABINET - GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT - DIRECTION (Pages 17 - 20)

To consider attached report .

16. APPOINTMENT OF ACTING CHIEF EXECUTIVE AND DESIGNATION OF HEAD OF PAID SERVICE

Report to follow.

17. DELEGATED AUTHORITIES HELD BY THE CHIEF EXECUTIVE (Pages 21 - 26)

Report attached.

Report to the Council

Committee: Cabinet

Date: 27 July 2010

Subject: Environment Portfolio

Item: 6(c)

Portfolio Holder: Councillor Mary Sartin

Recommending:

That the report of the Environment Portfolio Holder be noted

Bobbingworth Tip

On Wednesday, 7 July I visited Bobbingworth Tip along with our Assistant Director of Environment & Street Scene, Kim Durrani, Colin Thompson, Clerk of Bobbingworth, Moreton & the Lavers Parish Council, Darren Cole from Veolia and Paul Hewitt and Lee Savill from EFDC. We had the opportunity to walk the site and see the state of the ground and the growth of vegetation which has been planted since the groundwork was completed. The trees and shrubs which were planted by Countrycare with the help of volunteers are showing good levels of growth, with few losses so far. The rate of growth of grass is extremely slow due, mainly, to the long dry spell which we have experienced and in places it is very sparse.

There has been concern expressed that the public have not been able to gain access to the site yet but having seen the state of the ground it is clear that the grass needs time to become firmly established before too many people walk over it. This will continue to be monitored but any decision to open the site for public access is likely to be some months off.

Essex County Council has now agreed figures which should enable us to close the accounts for this project. A final report can then be brought to Cabinet, hopefully in September. As I have said before, we will then be in a position to set up a committee to oversee the future running of the site.

Waste Management

Although the figures are still to be audited by Essex County Council, I am very pleased to be able to announce that our recycling figures for the first quarter of 2010/11 have reached 61.53%.

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Report to the Council

Committee: Cabinet **Date:** 27 July 2010

Subject: Leisure & Wellbeing Portfolio **Item:** 6(g)

Portfolio Holder: Councillor Brian Rolfe

Recommending:

That the report of the Leisure and Wellbeing Portfolio Holder be noted

1. Woodredon House Arts Project

An outdoor music and theatre event was held at Woodredon House, Epping in early July, as a culmination of a 12 week project involving residents with learning difficulties and children from Loughton Youth Theatre. The event featured a play that was developed by the children and young people using the words of residents and a range of props and sets made by all participants.

The theme of the project and play was based on the residents' 'favourite places' in their care home and gardens, and included recording their memories of life before Woodredon. The Council's community artists also worked with residents to develop a range of arts installations that were displayed in their favourite places around the house & gardens and in the home.

The event was attended by parents of children from the Youth Theatre and residents' family members and was an excellent demonstration of the improvement of quality of life for people that generally live very much in isolation.

2. Aiming High For Disabled Children

Sports development has been successful in securing £10,000 government funding towards provision of special trampolining sessions for children with disabilities. The funding is part of the Aiming High For Disabled Children programme that is a new ring fenced national funding programme.

The funding will enable children and young people with a range of learning and physical disabilities to take part in supported trampolining sessions and part of the funding will be used to purchase a hoist to assist the less able.

3. Summer Holiday Programme

Community Services are offering over 100 x holiday activities with over 3500 x places for children and young people during the forthcoming summer holidays, with many of these sessions already three quarters full. Opportunities range from puppetry shows and 'Rumble in the Jungle' for young children, to playschemes and trampolining for 5

– 11's and a range of activities for the 11+ including dancing schools, mountain biking and freestyle football skills.

The programme is provided at a wide range of venues across the district and includes 'open access and drop in' activities including 'Play in the Park', where Play Rangers visit over 10 rural locations with a van of equipment and organise children's park games.

4. Performance Reward Grant Cut backs

Epping Forest Children's Partnership which is chaired by the Council is currently looking at ways to try and support local voluntary groups, following an announcement by Essex County Council that it will be withdrawing funding from a range of local projects for children and young people.

The projects which have been in operation for up to a year, were funded through Performance Reward Grant allocated to Local Strategic Partnerships via Essex County Council and range from counselling support for children and families, to positive activity provision in a range of locations across the district. The projects are currently under threat of losing 50% of their allocated funding and the impact on some of the users of these services will be very significant.

Officers are currently working hard to reduce the potential reductions in funding for Epping Forest, that have arisen due to 50% reductions being faced by Essex County Council through government cuts in funding grants.

Report to the Council

Committee: Cabinet **Date:** 27 July 2010

Subject: Operational Planning & Transport Portfolio

Portfolio Holder: Councillor Syd Stavrou **Item:** 6(h)

Recommending:

That the report of the Operational Planning and Transport Portfolio Holder be noted

Parking Reviews

Cabinet on 7 June 2010 received a report detailing the status of the three on-going parking reviews in Epping, Buckhurst Hill and Loughton. The report also highlighted the significant costs associated with the schemes and presented options for consideration. Cabinet deferred the implementation of these schemes whilst awaiting clarification on costs.

A special meeting was held with the ECC Portfolio Holder for Highways and Transport on 22 June 2010. As a result of this meeting ECC began a review of the costs surrounding such parking reviews, particularly with regard to the costs associated with the statutory advertising of traffic regulation orders.

It is possible that as a result the cost of advertising could be reduced but this will not be known until ECC has concluded this piece of work. However, county officers indicated late last week that a cheaper option was looking feasible and if this were indeed the case then it might be possible to commence work on the schemes within the Council's allocated budgets.

As it currently stands, if ECC was able to reduce costs of the schemes, a Cabinet decision would be required to rescind the earlier decision to suspend the reviews. This will not be possible until the next scheduled Cabinet meeting in mid September and would result in delays. In order to provide flexibility and avoid delays where possible, it is proposed that the three Portfolio Holders namely: Leader, Operational Planning and Transport and Finance and Economic Development be authorised to approve recommencement of the schemes subject to three specific conditions.

At Cabinet on 19 July 2010 the above report was presented to Cabinet for discussion and the following recommendations/decisions were agreed:

- (1) To note that the Essex County Council is currently considering alternative advertising arrangements to significantly reduce the costs of compliance with the statutory obligations to advertise; and
- (2) To avoid unnecessary delays in the implementation of the three parking reviews within existing budget allocation the Portfolio Holders of Leader, Operational

Planning and Transport and Finance and Economic Development, be authorised to recommence the parking reviews subject to the following:

- (a) Essex County Council confirms that the revised advertising arrangements comply with statutory requirements;
- (b) That the revised advertising costs are acceptable and can be accommodated within the existing parking review budgets; and
- (c) That in the event of budgets still being breached to, following consultation with relevant ward members, scale back the extent of the schemes by, for example, not introducing on street pay and display parking.

Outstanding Highway Related Payments Due to EFDC

As part of section 287 agreements with the County in respect of the works at Bobbingworth Tip, deposits and guarantees to the value of £97,000 were paid over in respect of the works at the entrance to the site and potential damage caused to the high by construction vehicles.

Progress has been made on these issues with recent confirmation that:

- (a) 90% of the £37,000 has been released with the remaining 10% being payable in 12 months time (i.e. at the end of defects liability period); and
- (b) County consider that the damage attributable to the scheme should be less than £10,000 and therefore we should hopefully receive around £50,000 of the £60,000 deposit back.

Local Bus Tender Round 2010

Members are referred to the item in the Members Bulletin of 16 July 2010 regarding ECC's recent review of local bus contracts as part of the tender assessment for September 2010. Details of services which serve Epping Forest District were set out for information. Two further tables were also given, the first of which set out those services which did not meet ECC's £5.00 per passenger per journey maximum service subsidy; a second table listed the services that were near the end of their contract period and were due for renewal or due for tendering and which met ECC's criteria for continuation.

Members were invited to submit any queries to Wendy Jackson, Senior Transport Liaison Officer, Essex County Council, County Hall, Market Road, Chelmsford, CM1 1QH. Tel: 01245 437 188. Email: wjackson@essex.gov.uk.

Highway Ranger Services

Unfortunately we have been unable to progress the offer of this Council operating a County funded highway ranger service, as part of the Council's existing SCG arrangements because:

- (i) the County required their funded part to be 'branded' as a County service, which would have required the purchase of new vehicles etc. with the attendant time delays; and
- (ii) along-side those delays, the County could not guarantee funding beyond the end of the 2010/11 financial year.

These factors placed too great a risk upon this Council and therefore we have had to inform the County that we will be unable to proceed.

Changes in Responsibility to Concessionary Travel Passes and Public Consultation

Members' attention is drawn to the public consultation by Essex County Council concerning changing the responsibility for providing the English National Concessionary Travel Scheme, commonly known as the English Bus Pass, from District and Borough Councils to Essex County Council from 1 April 2011.

The consultation runs from 1 July 2010 until 30 September 2010. Questionnaires and some commonly asked questions can be obtained by calling Contact Essex on 08457 430430, from libraries across the county, downstairs in EFDC Reception and online at <http://www.essex.gov.uk/buspass/>.

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Report to the Council

Committee: Cabinet

Date: 27 July 2010

Subject: Performance Management Portfolio

Portfolio Holder: Councillor Richard Bassett

Item: 6(i)

Recommending:

That the report of the Performance Management Portfolio Holder be noted

Council Plan 2006-2010

Progress and final outturn performance for the Council Plan as at 31 March 2010 was reviewed by the recent Cabinet and the Finance and Performance Management Scrutiny Panel meetings without any major issues arising.

The lifespan of this Council Plan has now concluded. Members will be aware that work has commenced on the development of a new Corporate Plan to take the authority forward from 2010/11 to 2013/14, in conjunction with the similar development of a new Community Strategy for the district by the Epping Forest Local Strategic Partnership. A joint Cabinet/Management Board workshop is shortly to be held to facilitate the further development of the new Corporate Plan, which it is currently anticipated to be adopted by the Council in October 2010.

Performance Management

As we are all aware we are facing very tight constraints on our budgets and finances over the next few years. The Service Directors have been doing a lot of work to identify savings in the current year and I shall be working with the Finance and Economic Development Portfolio Holder to look at these numbers and to review budgets for next year. We are very willing to look at any suggestion to improve performance and to save expenditure and as can be seen from the Cabinet meeting we have invested in several DF items which will save ongoing CSB and can demonstrate a very good return on Investment.

Emergency Planning

As previously mentioned we held a consultation workshop with the parishes to discuss the development of a coordinated emergency response to the consultation document that we received from the Cabinet Office called the "Draft Strategic National Framework on Community Resilience"

We have formatted our response and we felt that insofar as it provides strategic direction for existing responders then the framework does make a contribution. However, the framework doesn't add a great deal to the work that is already going on in our communities. Most of our Parishes and Town

Councils already have emergency plans and as a District Council we liaise with them as appropriate. The framework as proposed appears to raise expectations that any community group (however defined) may legitimately have a role in emergency response. Communities do certainly have a valuable role in preparation for emergencies and in recovering from emergencies but it needs to be made much clearer that their response role is limited. Without such clarity, it may result in community groups doing more harm than good.

As a District Council, our view is that we could only manage to introduce Community Resilience via our existing Parish/Town Council networks. Given the broad definition of 'Community' we are concerned that a multitude of groups could seek to establish themselves which would quickly become unmanageable (and very likely hinder any emergency response). Should our Parish/Town Council partners feel that more localised groups would be useful (with regard to a local risk for example), then we would expect them to manage the relationship.

Some parishes made it quite clear that they expected the District Council to provide physical resources to facilitate Community Resilience (examples include salt bins, generators and boats). However given the financial climate a blanket commitment to provide these sorts of commitments is unrealistic. Support from District Council in the form of information or training is certainly possible (and indeed encouraged) in order to develop stronger links with Community Groups.

If any member would like a full copy of our responses then please contact me and I will provide it.

Staff Absences Numbers

At the recent JCC we looked at progress in managing staff absence. We have seen a considerable improvement over the year with a 25% improvement in fy09/10 and only just missing our target of 8 days per year. We have identified several areas where we can look at how we can assist employees and we have already seen a further reduction to 1.88days in the first quarter of this year. I have also signed off a vacancy for a new part time dedicated resource providing absence information to managers and also to assist them in managing absence. This has resulted in improvements in those years where this has been provided resulting in efficiency savings. However, the new role will have a wider remit in providing a range of management information which will assist the Council in a number of its objectives.

On a very positive note about 40% of the staff had zero days off sick.

Report to the Council

Committee: Cabinet

Date: 26 July 2010

Subject: Supplementary Estimates

Portfolio Holder: Councillor Mrs D Collins
(Leader of the Council)

Item: 10

Recommendations:

Fitness Equipment at Epping Sports Centre and Ongar Leisure Centre

(1) That a supplementary capital estimate in the sum of £62,000 for new fitness equipment at Epping Sports Centre and Ongar Leisure Centre be approved;

Car Park to the Rear of the Black Lion Public House, High Street, Epping

(2) That a supplementary capital estimate in the sum of £150,000 to purchase the freehold of the car park at the rear of the Black Lion Public House, High Street, Epping be approved;

Langston Road Depot, Langston Road, Loughton – Planning Application

(3) That a supplementary revenue estimate in the estimated sum of £16,587.50 (half of the total cost of £33,175 plus VAT) for the preparation of a highways modelling, traffic impact assessment and negotiating solutions by JMP Consultants Limited with Essex County Highways Authority for the upgrading of the A1168 Chigwell Lane in relation to the proposed development of Langston Road Depot as a retail park be approved;

(4) That a supplementary revenue estimate in the sum of £62,867.50 (half of the cost) for submitting a joint outline planning application for the redevelopment of the Langston Road Depot and the adjoining T11 site be approved, provided the negotiations with Essex Highways Authority in recommendation (3) above are successful;

Ninefields, Waltham Abbey – Reduction of Heating Charges

(5) That a Housing Revenue Account supplementary estimate of £57,000 for 2010/11 to fund the cost of reducing the heating charge for 216 one-bedroom properties at Ninefields, Waltham Abbey be approved.

Fitness Equipment at Epping Sports Centre and Ongar Leisure Centre

1. The present contract with Sports and Leisure Management Limited (SLM) for the management of the Council's four leisure facilities is due to end in January 2013. At our meeting in February 2010 we agreed that proposals brought forward by SLM to reduce revenue costs should be pursued further, in line with the Council's policy of generating revenue benefits from investing capital monies. We also recognised that as part of the negotiations the Council would consider extending the present contract for three years from January 2013 to January 2016.

2. There were two elements to the proposals put forward by SLM:

- (a) the Council to make capital provision for alteration works to Loughton Leisure Centre and new fitness equipment for Ongar Leisure Centre and Epping Sports Centre in exchange for a reduction in the Continuing Services Budget (CSB) management fee; and
- (b) a reduced management fee for the potential new hall at Waltham Abbey Swimming Pool.
3. SLM has produced an outline proposal for Loughton Leisure Centre which is within the previously allocated capital budget of £800,000 and has offered a decrease in management fee of £100,000 per year in exchange for this investment.
 4. The capital required for fitness equipment provision at Epping Sports Centre and Ongar Leisure Centre is £192,000 in exchange for a reduction in CSB management fee of £53,376 per year. This will be spent over 2010/11 and 2011/12. There is currently £130,000 in the 2010/11 Capital Programme and therefore a further £62,000 is required by way of a supplementary capital estimate.
 5. Although additional capital is required for the fitness equipment at Epping Sports Centre and Ongar Leisure Centre, it is considered that this still represents an excellent return on the capital investment of £192,000 through the reduction in the management fee.
 6. We are proposing that the contract with SLM be extended to January 2016. We are also proposing and that with regard to the construction of a new sports hall at Waltham Abbey Swimming Pool, the scheme be suspended at the current time and reconsidered each year as part of the annual review of the Council's Capital programme.
 7. In order to fully fund the fitness equipment we recommend as set out at the commencement of this report.

Car Park to the Rear of the Black Lion Public House, High Street, Epping

8. The Council is the leaseholder of the car park to the rear of the Black Lion Public House. The freehold owner, Punch Taverns Plc have offered to sell their interest to the Council for £150,000.
9. The car park is currently held on a ten year lease from 18 December 2001 subject to a rent review every five years and was last reviewed on 18 December 2006 to £9,059.54. The rent is increased in line with the Retail Price Index. The Council, under the terms of the lease is responsible for maintenance of the site.
10. Purchasing the freehold interest will secure the Council's staff car parking provision, failure to do so would potentially jeopardise the Council's long term interest in the site. The proposal will also save £9,000 in Continuing Services Budget lease costs.
11. Accordingly we recommend as set out at the commencement of this report.

Langston Road Depot, Langston Road, Loughton – Planning Application

11. In December 2009, we agreed in principle that investigations be made into the relocation of the existing users of the Langston Road Depot to alternative sites in order to obtain vacant possession of the Depot for future redevelopment.
12. For any development to proceed at the Depot it will be necessary to satisfy Essex Highways Authority over traffic on the A1168 Chigwell Lane and only once this requirement has been satisfied will it be worth the expense of making a planning application for development of the site.

13. If a subsequent planning application is successful for a retail park the Council will have a very valuable site which together with the adjoining T11 site is likely to have a gross development value in excess of £30 million. The development of the Depot site for retail warehousing would provide a wide range of comparison retail goods that are not currently available in the District and would provide a high level of new employment whilst the warehouse is being constructed and once it has been completed.
14. The cost of engaging consultants to prepare a highways modelling, traffic impact assessment and negotiating solutions with Essex County Highways Authority for the upgrading of the A1168 Chigwell Lane in relation to the proposed development is £33,175. This cost would be shared with the owners of the T11 site who wish to develop their site. The total estimated cost of submitting a planning application, excluding the cost of engaging JMP Consultants Limited is £125,735 which again would be shared with the owners of the T11 site.
15. We recommend as set out at the commencement of this report in order to progress the proposed development of the Langston Road Depot.

Ninefields, Waltham Abbey – Reduction of Heating Charges

16. The heating systems in many of the Council-owned blocks of flats on the Ninefields Estate, Waltham Abbey still date from the 1960s and have now become costly to run. As a result, in 2010/11 the Council has had to make a charge of £22.19 per week heating charge to tenants and leaseholders just to cover costs, a charge that is clearly disproportionate for a one-bedroom flat.
17. The Council is undertaking a programme of work to replace the boilers in the 216 affected properties but this work will not be fully completed until 2011/12. Until each occupier has their new system installed they will have to continue to pay these high charges. We consider that it would be reasonable to reduce the charge to £16.69 a week, the amount paid by tenants and leaseholders in 2009/10, until they each have their own boiler installed. The cost of making this reduction is estimated as being £57,000.
18. Officers have tried to find this funding from potential shortfalls in existing budgets but at this relatively early point in the financial year, this has not been possible. Accordingly, we recommend as set out at the commencement of this report.

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Report to the Council

Committee: Cabinet

Date: 27 July 2010

Subject: Gypsy and Traveller Development Plan Document - Direction

Portfolio Holder: Councillor Mrs D Collins
(Leader of Council)

Item: 12

Recommending:

- (1) That all site owners, relevant Town and Parish Councils, known local residents' associations and the local travelling community be informed of the decision of the Minister for Decentralisation to revoke the Direction which had required this Council to prepare a separate Gypsy and Traveller Development Plan Document (DPD);**
- (2) That work on the Gypsy and Traveller DPD be ceased immediately;**
- (3) That the Council's website be updated as soon as is practical to reflect the situation; and**
- (4) That the Options and Issues consultation work be discontinued;**
- (5) That those residents who own or live in the vicinity of affected sites be reassured that the impact of this decision is, where appropriate, to restore the identified sites to the planning status they enjoyed prior to the Direction of September 2007.**

The Direction

1. In a letter dated 17 September 2007 from Go-East, the then Secretary of State for Communities and Local Government directed the Council to amend its local Development Scheme to:
 - (a) include a Gypsy and Traveller Site Development Plan Document (DPD); and
 - (b) start work as soon as possible with submission of the DPD for Examination by 30 September 2009.
2. A consultant was appointed in April 2008 to deal solely with the preparation of the DPD. An Issues and Options consultation document was published in October 2008, and a public consultation exercise was held from November 2008 to February 2009, including exhibitions held in areas where potential sites had been identified. The document listed 25 new potential sites, supported the expansion of two authorised sites, and recommended the authorisation of four tolerated sites. It also listed 13 authorised or partially authorised sites the extension was not supported and one new, one temporary, two tolerated and two unauthorised sites whose authorisation was not supported. The results of the public consultation were reported to the Cabinet on 21 December 2009.
3. The exercise was extremely controversial and costly, attracting very negative coverage in local and national newspapers. Much member and officer time was expended dealing with the concerns of local residents and there is no doubt that long-term damage has been done to the relationships between the Council and the

settled community. In all a total of 10,601 people responded in some way to the consultation, either as individuals, or as signatories in groups of varying sizes. The public response was overwhelmingly opposed to the use of any of the identified sites for gypsy and traveller pitches.

4. Specialist consultants were also appointed to engage directly with the local travelling community already resident within the district. DVDs were prepared for distribution to local families which described the Local Development Framework, the purpose of the “call for sites” exercise, the Issues and Options consultation, and how to submit planning applications. No questionnaire responses to the consultation were received from the travelling community. The chosen method of response appears to have been the submission of planning applications on some sites, whether or not their authorisation or expansion was supported by the Options consultation document. As a result some permissions have subsequently been granted, or Certificates of Lawful Development issued. Some permissions have been granted on appeal and some applications have been refused. With a few applications still to be resolved, and with the submission of others anticipated, an increase of 19 authorised pitches has been achieved.
5. The consultation also sought technical responses on a range of issues. Six of these were within the Council (contaminated land, flood risk, land drainage, landscape impact, Local Strategic Partnership, and noise), five from the County Council (archaeology, gypsy liaison, highways, planning and waste disposal) and 12 external agencies were also consulted, some of these because of statutory requirements – British Waterways, the Coal Authority, the Commission for Architecture and the Built Environment, Campaign to Protect Rural England, East of England Development Agency, EDF Energy, English Heritage, the Environment Agency, Go-East, the Lee Valley Regional Park Authority, National Grid and Natural England. A number of these bodies did not respond at all or indicated that they had no comments to make.
6. The volume and complexity of the consultation response made it clear that the Direction deadline for submission of the DPD by September 2009 could not be met. Officers contacted Go-East in July 2009 to explain the situation and a number of meetings were held to try to agree a realistic revised timetable, given the increased pressure from the previous Government to be making substantial progress with the preparation of Core Strategies.
7. Following advice received from Counsel, the Council wrote to the then Secretary of State in January this year asking for a meeting to discuss the continued need for the Direction. A reply was received from the then Parliamentary Under Secretary of State on 31 March 2010 which concluded that a meeting was not necessary and that there was a continuing need for the Direction, despite the significant progress that the Council had made in increasing the provision of authorised pitches, by following a “pragmatic approach” to the consideration of tolerated sites and those with the existing temporary permissions.
8. The Single Issue Review (looking only at gypsy and traveller pitch numbers) of the East of England Plan was published in July 2009. This gave the Council the target of 34 additional pitches (creating a total of 128) by the end of March 2011 and indicated that provision should be made for an annual 3% compound increase for the period 2011 to 2021. The “pragmatic” approach being pursued by the Council has made significant inroads into meeting this target.

Coalition Government Approach

9. On 27 May 2010 the new Secretary of State for Communities and Local Government wrote to all Chief Planning Officers announcing his intention to abolish Regional Spatial Strategies and return decision making powers on housing and planning to

local councils. As a result decisions on housing supply (including the provision of travellers' sites) will rest with local planning authorities without the framework of regional numbers and plans.

10. In the light of this significant change, the Leader of the Council wrote to the new Secretary of State on 2 June 2010 requesting the early withdrawal of the Direction and justifying this by the progress the Council had made towards meeting the East of England Plan target. The Minister for Decentralisation replied on 9 July, although the letter was not received until 12 July, revoking the Direction. He commented that:

"It is the view of this Government that local councils are best placed to meet the requirements of their residents, be they from the settled or travelling community. Despite the difficulties the Direction has placed on the authority, you have shown that the Council has taken a responsible approach to meeting the accommodation requirements of travellers in the district. I do not hesitate, therefore, in agreeing to your request to withdraw the Direction".
11. This decision, coupled with the revocation of Regional Spatial Strategies and their associated targets for housing and pitch provision, completely removes the need for the Council to continue work on the separate Gypsy and Traveller DPD.
12. We are recommending that this important decision should be communicated to all affected landowners, relevant Town and Parish Councils, known local residents' associations and the travelling community as soon as possible. In addition the Council's website should be updated as soon as practical.
13. For those who own land identified in the consultation document or who live adjacent to such sites it is important to state that the removal of the Direction means that the Council can and will discontinue the consultation exercise and that the identified sites, where appropriate, will be restored to the planning status they enjoyed prior to the Direction of September 2007.
14. It should be noted however, at this stage no guarantee can be given that any land will, or will not be allocated for development as a gypsy and traveller site, whether or not the land was identified in the Options Consultation document. Such considerations will be relevant in the future when the Council decides upon the proper way forward for the provision of gypsy and traveller sites through the LDF process, if that proves necessary. Similarly, the revocation of the Direction does not guarantee that land identified in the Options Consultation will not be the subject of an application for planning permission, or that if such an application is made, that the Council, or the Secretary of State, will not grant planning permission in the future. The Council is duty bound to determine all valid applications for planning permission having regard to the facts and circumstances that are relevant at the time of the decision, including whether the proposed development is in accordance with relevant policies within the statutory development plan in force at the time.
15. Cessation of any further work on the separate DPD will allow Forward Planning to concentrate its resources on continuing to build the evidence base, and to produce the Core Strategy for the new planning system to be introduced by the Government. Gypsy and traveller site provision will form part of the broader housing section of the Core Strategy and related Local Development Framework documents.
16. We recommend as set out at the commencement of this report.

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Report to the Council

Report of: Leader of the Council

Date: 27 July 2010

Item: 17

1. ACTING CHIEF EXECUTIVE – DELEGATED AUTHORITIES

Recommending:

(1) That the schedule of Council delegated authorities for Council functions set out in Appendix 1 to this report be transferred to the Acting Chief Executive with effect from 28 July 2010;

(2) That the Acting Chief Executive be also responsible for any delegated Council functions currently listed as exercisable by the Deputy Chief Executive from 28 July 2010 pending further review of the Office of the Deputy Chief Executive;

(3) To note the list of executive functions delegated to the Acting Chief Executive as set out in Appendix 2 to this report which the Leader of the Council will be asked to approve following this meeting.

1. Subject to the appointment of Mr Derek Macnab to the position of Acting Chief Executive earlier in the meeting, certain delegated authorities in respect of Council functions held by the Chief Executive should now be transferred to the new post (Appendix 1). Any delegated authorities currently held by the Deputy Chief Executive will also transfer to the new post for the time being.
2. Appendix 2 indicates those delegated authorities in respect of executive functions, previously exercisable by the Chief Executive, which will be transferred to the Acting Chief Executive under a decision to be sought from the Leader of the Council once the appointment is made by the Council.

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**COUNCIL MEETING
(27.7.10)**

ITEM: 17

(APPENDIX 1)

**SCHEDULE OF DELEGATION TO ACTING CHIEF EXECUTIVE
(COUNCIL FUNCTIONS)**

DELEGATION REF	SUBJECT	NOTES
CL2	Deposit of Background Papers	(All Directors authorised)
CL5	Staff Personal Development Reviews – Office of the Chief Executive	
CL6	Staff Meeting Allowances – Approval	(All Directors authorised)
CL10	Car Lease Scheme – Approval of Staff Applications	(All Directors authorised)
CL11	Chairman of Council – Casual Vacancy (Proper Officer)	(All Directors authorised)

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**COUNCIL MEETING
(27.7.10)**

ITEM: 17

(APPENDIX 2)

**SCHEDULE OF DELEGATION TO ACTING CHIEF EXECUTIVE
(EXECUTIVE FUNCTIONS)**

DELEGATION REF	ACTING CHIEF EXECUTIVE DELEGATION	NOTES
EX12	Awards under Complaints and Compliments Procedure	
EX14	Authority to approve bids for Works Outside District	
EX15	Approval of officer attendances at conference	(All Directors authorised)
EX18	Ex Gratia Payments to Staff for additional duties undertaken	(All Directors authorised)
EX48	Press Releases	(All Directors authorised)
EX61	Officers' Travel Claims – Policy Exception regarding travel arrangements.	(All Directors authorised)
EX62	Study Leave for Staff	(All Directors authorised)
EX66	Temporary Staff – Engagement	(All Directors authorised)

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