

## **EPPING FOREST DISTRICT COUNCIL CABINET MINUTES**

**Committee:** Cabinet **Date:** 5 February 2007

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.25 pm

**Members Present:** C Whitbread (Vice-Chairman), A Green, Mrs A Grigg, J Knapman, S Metcalfe, Mrs M Sartin, D Stallan and Ms S Stavrou

**Other Councillors:** Councillors R Law and S Murray

**Apologies:** Councillors Mrs D Collins

**Officers Present:** P Haywood (Joint Chief Executive), A Hall (Head of Housing Services), R Palmer (Head of Finance), T Tidey (Head of Human Resources and Performance Management), I Willett (Head of Research and Democratic Services), S G Hill (Senior Democratic Services Officer), C Overend (Policy & Research Officer), G J Woodhall (Democratic Services Officer), S Mitchell (PR & Internet Assistant), Z Folley (Democratic Services Assistant) and M Jenkins (Democratic Services Assistant)

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### **125. DECLARATIONS OF INTEREST**

The Joint Chief Executive (Resources) informed the Cabinet that he would leave the meeting for the consideration of the following items:

- (a) Top Management Cabinet Committee – 11 January 2007; and
- (b) Top Management Cabinet Committee – 31 January 2006.

### **126. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 18 December 2006 be taken as read and signed by the Chairman as a correct record.

### **127. CAPITALISATION OF PENSION DEFICIT PAYMENTS**

The Leader of the Council had determined, in accordance with Section 100(B)(4)(b) of the Local Government Act 1972 and paragraphs (6) and (24) of the Council's Procedure Rules, that a report concerning the Capitalisation of Pension Deficit Payments be considered as urgent business in order to facilitate the budget setting process.

The Finance, Performance Management and Corporate Support Services Portfolio Holder requested that consideration of this report be deferred until the Cabinet considered the Council Budgets for 2007/08.

#### **RESOLVED:**

That this item be deferred until the Council Budgets for 2007/08 was considered.

## **128. REPORTS OF PORTFOLIO HOLDERS**

### **(a) Planning and Economic Development**

The Portfolio Holder reminded the Cabinet of the East of England Plan Seminar for Members on 17 February 2007 at 9.30am in the Council Chamber. This would provide Members with an opportunity to respond to the Secretary of State's proposed changes to the Plan.

The Portfolio Holder had also attended the Regional Assembly on 2 February 2007, which had considered its response to the Secretary of State's proposed changes to the Plan. The Regional Assembly had resolved to suspend support for the draft East of England Plan due to concerns over the number of new houses proposed for the region and the lack of infrastructure planned to support this development. The Assembly had requested a response from the Secretary of State to these concerns.

### **(b) Housing**

The Portfolio Holder informed the Cabinet that, following the recent storms, the Council had received 80 calls from members of the public concerning various kinds of storm damage to Council properties. The Portfolio Holder congratulated Housing Services and the Council's Work Unit for their hard work in the aftermath of the storm.

### **(c) Community Wellbeing**

The Portfolio Holder appraised the Cabinet of the Emergency Planning Exercise that had taken place on 22 January 2007. The theme of the exercise had been a flu pandemic whereby 40% of residents and officers were incapacitated. In attendance had been a number of senior officers from the Council, along with the Portfolio Holder, the Leader of the Council and the Portfolio Holder for Finance, Performance Management and Corporate Support Services. The results of the tabletop exercise were currently being analysed and would be used to update the Corporate Plan.

## **129. OVERVIEW AND SCRUTINY**

The Cabinet noted that there was nothing to report from the Overview and Scrutiny Committee held on 1 February 2007.

## **130. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 29 JANUARY 2007**

The Finance, Performance Management and Corporate Support Services Portfolio Holder presented the minutes from the Finance and Performance Management Cabinet Committee held on 29 January 2007. The items that had been considered included the: Internal Audit Monitoring Report October/December 2006 and Work Programme January/March 2007; Sundry Income and Debt Policy; and Council Budgets 2007/08.

**RESOLVED:**

**(a) Internal Audit - Monitoring Report October/December 2006 and Work Programme January/March 2007**

- (1) That the reports issued and significant findings between October and December 2006 be noted;
- (2) That the Audit Follow-Up Status Report be noted;
- (3) That the Work Plan for January-March 2007 be noted; and
- (4) That the 2006/07 Audit Plan Status Report be noted;

**(b) Sundry Income and Debt Policy**

- (5) That, subject to the views of the Housing Scrutiny Panel, the draft Sundry Income and Debt corporate policy be adopted, subject to:

- (a) paragraph 8.6 being amended to read:

*“In order for a debtor to receive more than three months’ credit, a detailed income and expenditure sheet should be completed for their case to be considered. The Senior Finance Officer should be consulted on all these cases.”*; and

- (b) Appendix A paragraph 1.3(c) being amended to read:

*“If the debtor breaches the agreement, they will receive one reminder letter. If a further breach of the agreement is then made, the agreement will be terminated and passed back to the service for them to instruct Legal to take action (copy of the agreement should be forwarded to the service).”*

**(c) Council Budgets 2007/08**

- (6) That the Council's 2007/08 General Fund budgets be noted and that further consideration be given to these budgets at the Cabinet meeting on 5 February 2007;
- (7) That the 2007/08 Housing Revenue Account budget, including the revised revenue estimates for 2006/07, be agreed;
- (8) That the intention to apply rent increases and decreases for 2007/08, in accordance with the Government's rent reforms and the Council's approved rent strategy, be noted;
- (9) That the increase in deficiency payments to the Pension Fund again be capitalised in accordance with the capitalisation direction request made to the Department for Communities and Local Government, and these payments be funded from the Pension Fund Capital Reserve that was established with a transfer of £2.5million from the usable capital receipts account;
- (10) That the Council's Prudential Indicators and Treasury Management Strategy for 2007/08 be agreed; and

(11) That the Chief Financial Officer's report to the Council on the robustness of the estimates for the purposes of the Council's 2007/08 budgets and the adequacy of the reserves be noted.

**Reasons for Decision:**

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

**Other Options Considered and Rejected:**

The Cabinet were satisfied that the Finance and Performance Management Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any other options.

**131. COUNCIL BUDGETS 2007/08**

The Finance, Performance Management and Corporate Support Services Portfolio Holder presented a report on the proposed Council Budgets for 2007/08. The Portfolio Holder reminded the Cabinet that the General Fund balance had increased substantially in recent years, such that it had stood at £6.456million as at 31 March 2006. This had represented 41% of the Net Budget Requirement for 2006/07, which had exceeded the Council's adopted guideline of 25%. However, the Council's financial situation had markedly altered following the collapse of the Waste Management contract with South Herts Waste Management, which had led to an increase in the revised revenue estimates for 2006/07. The revised four-year forecast presented to the Finance and Performance Management Cabinet Committee in September 2006 had indicated that unless expenditure was reduced, there was a possibility that by the end of 2010/11 all the revenue balances would be spent. The budget guidelines were therefore established as:

- CSB expenditure to not exceed £17million, including net growth/savings;
- all items of DDF expenditure to be reviewed; and
- the increase in District Council Tax to be no more than the increase in the Retail Prices Index.

The Portfolio Holder informed the Cabinet that total CSB expenditure had been set at £16.98million, with the growth of £374,000 partly offset by savings of £236,000. The largest growth items for 2007/08 were £113,000 for the end of subsidies on Reinstatement Grants, under section 541 of the Housing Act 1985, and £59,000 for higher energy costs. There had been no CSB growth budgeted for the Customer Services Transformation Programme as this initiative had been deferred pending the final cost of the waste management contract. Total DDF expenditure was £1.264million, but this had been offset by savings of £705,000 to give a net DDF expenditure of £559,000 for 2007/08. The largest item of DDF expenditure would be £199,000 for works to principal ordinary watercourses within the District. In addition, the Council's Formula Grant for 2007/08 had been increased by £534,000, which had represented a 6.2% increase. This had led to the Council being able to limit the increase in District Council Tax to 3.5%, which was less than the rate of increase in the Retail Prices Index and had equated to a District Council Tax of £139.50 per annum for a Band 'D' property.

The Portfolio Holder reported that the Department for Local Communities and Government (DCLG) had issued capitalisation directions on 31 January 2007 to only cover 57% of the applications made for 2006/07. Consequently, the Council had a shortfall of £269,227 for the General Fund capitalisation, for which it was proposed to

meet from General Fund revenue contributions that had been made to the Pension Deficit Earmarked Reserve, and a shortfall of £126,230 on the Housing Revenue Account (HRA) capitalisation, for which it was proposed that £20,520 should be met from the HRA revenue contributions that had been made to the Pension Deficit Earmarked Reserve with the remainder of £105,710 met from HRA revenue balances. However, it was still anticipated that a full capitalisation direction would be obtained for 2007/08 and thus the Council's budget for 2007/08 had not been altered following the DCLG's announcement.

The Portfolio Holder reminded the Cabinet that the Council had agreed the Council's Capital Strategy in December 2006. The only new item that had been included since then had been £69,000 for the replacement Revenues and Benefits ICT system, as agreed by the Cabinet at its previous meeting. The Council had a considerable Capital Programme, with an estimated expenditure in excess of £50million over five years. In future, priority would be given to capital schemes that had the potential to generate revenue in subsequent periods, as previously agreed. The balance on the HRA was expected to be £5.4million as at 31 March 2008, after a deficit of £399,000 for 2006/07 and a surplus of £179,000 for 2007/08, due to the reduction in capital expenditure charged to revenue. An update to the current five-year forecast was in progress, but the substantial balances within the HRA were not expected to change in the short-term. Rent increases had been set with reference to both an individual property's formula rent and the Government's rent reforms, which were designed to harmonise Council and Housing Association rents. The average rent increase was expected to be 5% for 2007/08, which the Portfolio Holder acknowledged was a significant increase.

The Portfolio Holder commended the Council's Prudential Indicators and Treasury Management Strategy for 2007/08 to the Cabinet, but requested that approval be given to: increase the limit for funds invested for over 364 days from £15million to £30million; and increase the maximum investment limit with the highest rated counter parties from £8million to £12million.

In accordance with Section 25 of the Local Government Act 2003, the Head of Finance declared that the estimates as presented were sufficiently robust for the purposes of the Council's overall budget for 2007/08, and that the reserves were adequate to cope with the financial risks that the Council faced in 2007/08 but that spending needed to be kept under review with savings made in the medium term.

**RESOLVED:**

- (1) That the Council's 2007/08 General Fund Budgets be recommended to the Council for approval, including:
  - (a) the revised revenue estimates for 2006/07;
  - (b) the draft CSB budgets for 2007/08 (excluding growth items);
  - (c) the draft CSB growth items list;
  - (d) the draft DDF items list;
  - (e) an increase in the District Council Tax of 3.5%, representing an increase for a Band 'D' property from £134.73 to £139.50;
  - (f) the estimated use of surplus General Fund balances;

- (g) the four-year capital programme 2007/08 – 10/11;
  - (h) the four year financial forecast 2007/08 – 10/11; and
  - (i) the Council's future policy on the maintenance of General Fund Revenue Balances;
- (2) That, including the revised revenue estimates for 2006/07, the 2007/08 Housing Revenue Account (HRA) budget be recommended to the Council for approval;
- (3) That the Council be requested to note that rent increases and decreases for 2007/08 are to be applied in accordance with:
- (a) the Government's rent reforms; and
  - (b) the Council's approved rent strategy;
- (4) That, in respect of 2006/07, the Capitalisation Directions issued by the Department for Communities and Local Government for 2006/07 were for 57% of the amounts requested be noted;
- (5) That the subsequent £269,227 shortfall on the General Fund capitalisation be met from the General Fund revenue contributions that had been previously made to the Pension Deficit Earmarked Reserve;
- (6) That for the subsequent £126,230 shortfall on the HRA capitalisation:
- (a) £20,520 be met from the HRA revenue contributions that had been previously made to the Pension Deficit Earmarked Reserve; and
  - (b) the balance of £105,710 be met from HRA revenue balances;
- (7) That, as the amount that can be capitalised in 2007/08 is not necessarily linked to the amount for 2006/07, no adjustment be made to the Council's 2007/08 budgets;
- (8) That the Council's Prudential Indicators and Treasury Management Strategy for 2007/08 be recommended to the Council for approval, including:
- (a) an increase of the limit on funds invested for more than 364 days from £15million to £30million;
  - (b) an increase of the maximum investment limit with the highest rated counter parties from £8million to £12million;
- (9) That the Chief Financial Officer's report to the Council on the robustness of the estimates for the purposes of the Council's 2007/08 budgets and the adequacy of the reserves be noted.

**Reasons for Decision:**

The Council had a statutory obligation to set a budget and Council Tax for the 2007/08 financial years. Following the DCLG's decision to issue Capitalisation Directions for only 57% of the amounts requested, the pension fund deficit needed to be addressed.

**Other Options Considered and Rejected:**

The Cabinet were satisfied that the Finance and Performance Management Cabinet Committee had considered numerous options for CSB growth or savings, and DDF expenditure, and that there were no further options for action. To not capitalise the pension fund deficit, however this would place an additional burden on the Council Tax in the future.

**132. PROCUREMENT OF BED & BREAKFAST ACCOMMODATION FOR HOMELESS PERSONS**

The Housing Portfolio Holder presented a report concerning the procurement of bed and breakfast accommodation for homeless persons. Under the Housing Act 1996, the Council had a statutory duty to arrange interim accommodation for homeless applicants with a priority need for accommodation. To meet this duty, the Council used a variety of interim accommodation, in which most homeless households spent approximately six months. Although families were not generally placed in Bed and Breakfast accommodation, such accommodation was often used for single homeless applicants when there was no capacity at the Council's homeless persons hostel at Norway House, or if it was not suitable to place them in other temporary or interim accommodation. All hotels used for this purpose were inspected to ensure that adequate living conditions were provided and that the costs were reasonable. Although room rates had been negotiated on an individual basis, to date there had not been a competitive process used to obtain rooms rates.

Often, Bed and Breakfast accommodation at hotels whose rates were not the lowest or located outside the District had to be used. Therefore, following the placement of a notice in local newspapers, it was proposed to seek tenders from establishments that had expressed an interest in providing Bed and Breakfast accommodation for, mainly, single homeless applicants. The contract period would be for three years, with a price quoted for the first year and annual inflationary increases applied for the subsequent two years. Generally, it was expected that the most economically advantageous hotel would be used, however authorisation was sought for applicants to be placed in accommodation not provided by the lowest tenderer if such accommodation was not available or not suitable for the applicant. In addition, authorisation was also sought for the Housing Portfolio Holder to accept and approve the room rates submitted by the tenderers.

The Cabinet was concerned that a number of vulnerable single homeless applicants would continue to be placed in accommodation outside the District. The Portfolio Holder acknowledged that it was beneficial to keep such vulnerable people within their localities, however this was not always possible due to the standard and cost of the accommodation available. The Head of Housing Services proposed an additional recommendation whereby the Portfolio Holder would determine which hotels would be invited to tender from the expressions of interest received, which could take into account the geographical concern. The Portfolio Holder advised the Cabinet that, contrary to the content of the report, it was not necessary to place a notice in the Official Journal of the European Union for this particular tender exercise.

**RESOLVED:**

- (1) That, in accordance with Contract Standing Orders (C6 and C11 refer), a Notice be placed in the local papers seeking expressions of interest from suitable bed and breakfast establishments to accommodate homeless applicants;

- (2) That the list of hotels from whom tenders will be invited be agreed by the Housing Portfolio Holder from the expressions of interest provided;
- (3) That the contract period with the bed and breakfast establishments be for a period of three years, with a contract price given for the first year with annual inflationary increases for Years 2 and 3;
- (4) That, generally, hotels be used to accommodate homeless applicants based on the most economically advantageous option, with regard to room rates, availability, the needs of the applicant and other management reasons;
- (5) That, in accordance with Contract Standing Order C20 (2), officers be authorised to place homeless applicants in bed and breakfast accommodation not provided by the lowest tenderer, in cases where such accommodation is not available, not suitable for the applicant or should not be used for management reasons; and
- (6) That the Housing Portfolio Holder be authorised to accept and approve the room rates submitted by the tenderers.

**Reasons for Decision:**

The proposal would enable the Council to ensure that a local bed and breakfast service was available for, mainly, single homeless applicants at the lowest possible cost whilst meeting the needs of applicants.

**Other Options Considered and Rejected:**

To require the Cabinet to accept the room rates tendered by hotels and to continue to place single homeless applicants in bed and breakfast accommodation on an ad hoc basis and seek an annual waiver of Contract Standing Orders. However, this would lead to a non-competitive process continuing to be used to obtain room rates and a recent review of Contract Standing Orders had identified that formal tendering of terms should have been undertaken.

**133. OUTCOME OF THE 2003-06 DECENT HOMES CONTRACT - KITCHEN, BATHROOM AND REWIRE PROGRAMME**

The Housing Portfolio Holder presented a report regarding the outcome of the 2003-06 Decent Homes Contract for the Kitchen, Bathroom and Re-wire Programme. In September 2003 the Cabinet had approved the tenders for a five-year kitchen and bathroom renewals programme with Apollo London Limited. The works were separated into a one-year pilot programme and an extension for a further four years. Following the success of the pilot phase, in July 2004, the Cabinet had agreed to accelerate the programme to complete the works in three years instead of five. The aim of this had been to maintain the continuity of contractor resources and reduce contractor's overheads and preliminary costs, leading to a greater number of properties meeting the Decent Homes standards. The benefits of using a Partnering Contract were such that the contractor's costs were fixed at the outset and the scope of work could then be adjusted to suit both the need and the budget. The Portfolio Holder outlined the key outcomes of the contract, in accordance with Contract Standing Order C29(2), which the Cabinet noted.

**RESOLVED:**



That in accordance with Contract Standing Order C29 (2) – Contract Monitoring of Contracts in excess of £250,000 – the following key outcomes of the Decent Homes Kitchen, Bathroom and Rewire Partnering Contract be noted:

(a) by accelerating the contract, the Contractor's preliminaries were reduced, resulting in £185,400 being available to recycle into the contract;

(b) through the reduced Contractor's preliminaries, an additional 62 properties benefited from having a new kitchen, bathroom or electrical rewire through the programme.

(c) tenants benefited from receiving their improvements up to 2 years earlier than originally planned;

(d) the contractor achieved very good tenant satisfaction results for the programme overall with 92.5% of tenants pleased with the works; and

(e) from the lessons learnt, (employing specialist sub-contractors for electrical rewiring direct), the Council could realise significant cost savings on future electrical rewiring works by as much as £3,050 per typical 3-bed house.

**Reasons for Decision:**

It was a requirement of Contract Standing Order C29 (2) that on completion of contracts in excess of £250,000, a review would be carried out and reported to the Council, the Cabinet, a Cabinet Committee or a Portfolio Holder as appropriate in order to provide a means of accountability and to enable the Council to learn from experience.

**Other Options Considered and Rejected:**

There were no other options to be considered.

**134. DOOR ENTRY SECURITY PROGRAMME - 2007**

The Housing Portfolio Holder presented a report regarding the Door Entry Security Programme for 2007. Tenders had been invited from six contractors who were registered on Constructionline for the 2007 Door Entry Security Installation Programme for various sites in Loughton. The tenders were opened by the Housing Portfolio Holder on 14 December 2006 and were evaluated by Stace, one of the Council's Partnered Consultants. The tender submitted by Alpha-track Systems Limited was the lowest being in the sum of £69,700.64 and was within the budget allocation in the 2006/2007 Housing capital programme. Whilst the contract would commence in 2006/07 it would be completed around June 2007, therefore it was recommended that £60,000 from the Door Entry budget be carried forward into 2007/08.

The Head of Housing Services reminded the Cabinet that the programme had been agreed in August 2005, with each location's place within the programme dependant upon a number of factors, including the reported number of incidents of crime and nuisance. It was agreed that the programme schedule would be placed in the Council Bulletin for Members' information.

**RESOLVED:**

That, being the lowest tender received, Alpha-track Systems Limited be awarded the contract for the 2007 Door Entry Security Programme at various blocks in Loughton and Buckhurst Hill in the sum of £69,700.64.

**Reasons for Decision:**

The proposal was consistent with the existing capital programme and the number of blocks identified on the five-year programme for door entry security installations in 2007. The works would improve the security and safety of the residents within the blocks identified on the programme, and assist in the Council achieving the Government's Decent Homes targets.

**Other Options Considered and Rejected:**

To not undertake the door entry security installations programme, but this would have a detrimental effect on the security of the blocks and would lead to further vandalism.

**135. DEVELOPMENT OF COUNCIL HOUSING SITES & LAND TO THE REAR OF 30-36 POUNDFIELD ROAD, LOUGHTON**

The Portfolio Holder for Housing presented a report regarding the development of Council Housing sites and specific proposals for leasing land at Pyrles Lane and Oakley Court, Loughton to Estuary Housing Association. The report also contained options for the land to the rear of 30-36 Poundfield Road, Loughton. The Council was working with Estuary Housing Association to seek the development of 8 Council-owned housing sites across the District. Prior to Estuary's involvement with the project, the Council had formulated development proposals for a total of 30 properties to be provided on the eight sites. However, when Estuary became involved, they re-appraised the feasibilities for each site, and following consultation with the Council's planning officers, produced a proposal that, in principle, increased the proposal number of properties by 90% to 57 in total.

It had been previously concluded that if 18 of these properties were sold on the open market, it would generate sufficient cross subsidy, together with a provision of £1 million social housing grant from the Council, to provide 39 affordable homes for rent. However, the Cabinet had previously accepted that the eventual number of properties provided on some of the sites might be changed during the detailed planning process, which would affect the required ratio of sale. The Head of Housing Services was given delegated authority to vary the proposed numbers, mix and tenure across the sites as necessary. Over the past few months, Estuary had submitted detailed planning applications for each of the sites, with mixed success.

The Cabinet supported the proposals for bringing forward the development of the Pyrles Lane and Oakley Court sites, utilising part of the £1million social housing grant allocation as these were almost ready to commence. However the Cabinet felt that further consideration of the options for the Poundfield Road site was necessary, following representations on behalf of the local residents by Ward Members.

**RESOLVED:**

- (1) That the two areas of Council-owned land adjacent to the Pyrles Lane shops and opposite 33/37 Oakley Court, Loughton be leased to Estuary Housing Association, in advance of the transfer of the remaining Council sites being pursued for development by Estuary, on the same terms as previously agreed by the Cabinet;

(2) That social housing grant of £732,000 be provided to Estuary Housing association from the £1 million allocated to Estuary within the Housing Capital Programme, to develop 13 affordable properties for rent on these two sites; and

(3) That a decision regarding the future of the land to the rear of 30-36 Poundfield Road, Loughton be deferred and considered by the Cabinet at a later date.

**Reasons for Decision:**

The proposal regarding land adjacent to the Pyrles Lane shops and opposite 33/37 Oakley Court, Loughton would enable construction to commence on some of the development sites much earlier than if the determination of all the planning applications for the remaining development sites was awaited. By making this site available to Estuary Housing Association the Council would achieve 13 additional affordable homes in accordance with the Council's policy.

It was felt that the available options for the future use of the land to the rear of 30-36 Poundfield Road needed further clarification.

**Options Considered and Rejected:**

There were no other options available in respect of the Pyrles Lane and Oakley sites.

**136. GRANGE HILL BYE-ELECTION**

The Deputy Leader of the Council presented a report on behalf of the Leader of Council regarding the bye-election held on 14 December 2006 for the Grange Hill Ward. This followed the resignation of one of the ward members and a request by the appropriate number of local government electors for a bye-election to be held. There had been no provision in the budget for this expenditure and a supplementary estimate was requested to be submitted to the Council for approval. The Head of Research and Democratic Services advised the Cabinet that the final outturn for the cost of the bye-election had been £4,299.50.

**RESOLVED:**

That, for costs incurred in respect of the District Council bye-election for the Grange Hill Ward held on 14 December 2006, a revenue DDF supplementary estimate in the sum of £4,299.50 be recommended to the Council for approval.

**Reasons for Decision:**

It was a statutory requirement that the bye-election be held once the request from the electors had been made and the Council therefore had no alternative but to approve the necessary expenditure.

**Other Options Considered and Rejected:**

There were no other options.

**137. YOUTH INITIATIVES SCHEME - WORK PROGRAMME**

The Portfolio Holder for Finance, Performance Management and Corporate Support Services presented a report regarding the work programme for the Youth Initiatives Scheme. The District Council had included within the Capital programme a Youth Initiatives Scheme budget of approximately £100,000 per annum for the financial years 2005/06, 2006/07 and 2007/08. The schemes were put forward by Town and Parish Councils and assessed by the Portfolio Holder for their suitability based upon a number of different criteria. The maximum grant permitted for an individual scheme was £40,000.

The Portfolio Holder stated that a number of projects had been included in the 2006/07 programme, one of which was an application from Buckhurst Hill Parish Council relating to the teenage element (a ballpark) of an all-ages facility in the Roding Valley Recreation Area. Because of uncertainties regarding the timescale of this project, this has been replaced in the 2006/07 programme with projects at Upper and Lower Sheering Playing Fields, where Sheering Parish Council was in a position to commence work in the near future. The project at Roding Valley was accordingly transferred to the list of projects to be included in the future programme.

The Portfolio Holder reported that when the outstanding projects from the first two years of the scheme had been completed, the funds remaining in the budget would be £120,450. The current programme for 2007/08 was estimated to cost £113,000, which would leave a small surplus of £7,450. It was also recommended that the appropriate Overview and Scrutiny Panel should carry out a review of the scheme, in order to assess the impact and effectiveness of the scheme.

**RESOLVED:**

- (1) That the arrangements for the Youth Initiatives Scheme programme, including the specific schemes at Buckhurst Hill, Chigwell, Matching and Roydon in 2007/08, be approved;
- (2) That the Portfolio Holder for Finance, Performance Management and Corporate Support Services be authorised to release funds for approved schemes on an ongoing basis in accordance with the timetables of works provided by the Parish/Town Councils; and
- (3) That an assessment of the impact and effectiveness of the Youth Initiatives Scheme be carried out by the appropriate Scrutiny Panel, as determined by the Overview and Scrutiny Committee, in accordance with the arrangements set out in this report.

**Reason for Decision:**

Experience had shown that the provision of youth facilities helped to reduce youth nuisance and anti-social behaviour. Such facilities were required throughout the District, but particularly in the more remote rural areas. The projects that had been put forward had the support of the Parish and Town Councils and residents in the localities concerned.

**Other Options Considered and Rejected:**

To have rejected the suggested funding or increase/decrease the amounts within the overall annual budget.

**138. EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED:**

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 is considered to outweigh the potential public interest in disclosing the information:

<b><u>Agenda Item No</u></b>	<b><u>Subject</u></b>	<b><u>Exempt Information Paragraph Number</u></b>
16	Top Management Cabinet Committee – 11 January 2007	1
17	Top Management Cabinet Committee – 31 January 2007	1

**139. TOP MANAGEMENT CABINET COMMITTEE - 11 JANUARY 2007**

The Deputy Leader presented the minutes of the Top Management Cabinet Committee meeting held on 11 January 2007. The Cabinet Committee had noted their terms of reference and considered a discussion paper from the Head of Human Resources and Performance Management concerning the process to be followed. The Cabinet Committee had agreed to carry out the Top Management restructure in two stages. The first stage would submit proposals for Chief Executive level to the Cabinet and Council at the meetings scheduled in April 2007. The second stage would consider proposals for Deputy Chief Executive and Heads of Service levels for submission to the Cabinet and Council meetings scheduled for July 2007.

**RESOLVED:**

That the minutes of the Top Management Cabinet Committee, held on 11 January 2007, be noted.

**Reasons for Decision:**

The Cabinet were satisfied that the Top Management Cabinet Committee had fully addressed all the relevant issues in relation to the resolutions and that these should be endorsed.

**Other Options Considered and Rejected:**

The Cabinet were satisfied that the Top Management Cabinet Committee had considered all the relevant options in formulating their resolutions. The Cabinet did not consider that there were any other options.

**140. TOP MANAGEMENT CABINET COMMITTEE - 31 JANUARY 2007**

The Deputy Leader presented the minutes from the Top Management Cabinet Committee meeting held on 31 January 2007. The Cabinet Committee had agreed to submit a report to the Council requesting an amendment to its Terms of Reference, such that the Cabinet Committee could report directly to the Council in order to meet the timescales that it had been set. In addition, this report would recommend the establishment of an Appointments Panel, consisting of seven Councillors on a pro-

rata basis and including at least one member of the Cabinet but excluding any member of the Staff Appeals Panel, for the appointment of posts below Chief Executive level. Finally, it was agreed to seek the Council's approval that the Staff Appeals Panel should be authorised to adjudicate upon any grievances that arose from the decisions of the Appointments Panel, with a further report to be submitted if any changes were required to the Constitution in respect of the Staff Appeals Panel.

The Chairman of the Cabinet Committee had held confidential discussions with the current Joint Chief Executives in order to ascertain their views regarding the future structure at Chief Executive level. The Joint Chief Executive (Community) had indicated that he would be prepared to accept an early termination of his contract, on the grounds of redundancy and early retirement. The Cabinet Committee acknowledged that this would enable the Council to move towards a single Chief Executive structure by agreement, and agreed that a new Job Description should be drawn up for the position of Chief Executive.

**RESOLVED:**

That a report be submitted to the Council with the following recommendations:

- (1) That, with effect from 1 August 2007, the structure at Chief Executive level be amended by the deletion of the posts of Joint Chief Executive (Community) and Joint Chief Executive (Resources) and the creation of a single post of Chief Executive;
- (2) That, under the terms of the Council's severance scheme as applicable at that time, the departure of the Joint Chief Executive (Community) from the Council's service on 31 July 2007 on grounds of redundancy and early retirement be agreed, subject to the financial implications being considered at the next scheduled meeting of the Top Management Cabinet Committee; and
- (3) That the Joint Chief Executive (Community), be thanked for his valuable contribution to the work of the Council.

**Reasons for Decision:**

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

**Other Options Considered and Rejected:**

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

**CHAIRMAN**