



**DECISIONS**

<b>Committee:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>Monday, 12 March 2007</b>

<b>Date of Publication:</b>	<b>30 March 2007</b>
<b>Call-In Expiry:</b>	<b>5 April 2007</b>

This document lists the decisions that have been taken by the Cabinet held on Monday, 12 March 2007, which require publication in accordance with the Local Government Act 2000. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

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

Gary Woodhall (Research and Democratic Services)  
Email: [gwoodhall@eppingforestdc.gov.uk](mailto:gwoodhall@eppingforestdc.gov.uk) Tel:01992 564470.

**Call –in procedure**

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

<b>Agenda item:</b>
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**7. CALENDAR OF COUNCIL MEETINGS - 2007/08 MUNICIPAL YEAR**

**Decision:**

(1) That the merger of the Customer Services and ICT Scrutiny Panel with the Finance and Performance Management Scrutiny Panel be noted; and

(2) That the resultant draft Calendar of Meetings for the period May 2007 to May 2008 be recommended to the Council for approval.

**8. REVIEW OF GARDEN MAINTENANCE SCHEME - OLDER AND DISABLED TENANTS**

**Decision:**

(1) That Housing Revenue Account (HRA) funding of £20,000 per annum continues to be utilised to fund the Voluntary Action Epping Forest Garden Maintenance Scheme for older and disabled Council tenants for a further two years from 2007/08; and

(2) That a progress report on the scheme be considered by the Housing Portfolio Holder towards the end of the further two-year period.

## **9. FUEL POVERTY STRATEGY**

### **Decision:**

That the draft Fuel Poverty Strategy be recommended to the Council for adoption.

## **10. PRIVATE SECTOR HOUSING STRATEGY - HOUSING ASSISTANCE POLICY**

### **Decision:**

(1) That, in respect of the Decent Homes Assistance, the time period for a Certificate of Owner Occupation be extended from ten to fifteen years;

(2) That, as amended above, the Housing Assistance Policy be adopted as part of the Private Sector Housing Strategy; and

(3) That a progress report be submitted to the Housing Scrutiny Panel twelve months from the implementation date of the Policy or earlier if significant amendments to the Policy were considered necessary.

## **11. POSSIBLE DEVELOPMENT OF COUNCIL CAR PARKS**

### **Decision:**

(1) That the following be agreed in respect of the car park at Church Hill, Loughton:

(a) the site be declared surplus to requirements;

(b) Bidwells be commissioned to prepare and submit an outline planning application for residential development on behalf of the Council, incorporating a minimum of 40% affordable housing;

(c) no public car parking provision be included within the proposed development;

(d) subject to the receipt of outline planning permission, the land be offered for sale on the open market, inviting tenders providing the following information:

(i) the maximum amount of shared ownership housing that could be provided by one of the Council's Preferred Registered Social Landlord (RSL) Partners if the developer paid the Council £500,000 for the land; and

(ii) the maximum amount that could be paid to the Council if all of the properties were in the form of shared ownership by one of the Council's Preferred RSL Partners;

both with and without any social housing grant from the Housing Corporation;

(e) a further report on the outcome of the competition be considered;

(f) the preferred bidder be requested to investigate the possibility of the development site being enlarged with the inclusion of any adjoining land, including the undertaking of any associated negotiations;

(g) if an enlarged development site is possible, the Cabinet considers a further report on the options; and

(h) the preferred bidder be required to submit the detailed planning application at its own cost;

(2) The proposal that a Feasibility Study be commissioned on the suitability of the Bakers Lane Car Park, Epping for residential development (including affordable housing) and the viability of providing replacement public car parking spaces as part of any scheme not be agreed;

(3) That the Burton Road (Broadway), Loughton car park be retained as a public car park until such time as a scheme be identified which supports the principles of the Broadway Town Centre Enhancement Scheme;

(4) That the Queens Road, Buckhurst Hill; Cornmill, Waltham Abbey; and Cottis Lane, Epping car parks be retained as public car parks and alternative development schemes not be pursued; and

(5) That, in order to fund a planning application, site studies and other associated costs, a revenue DDF supplementary estimate in the sum of £26,000 be recommended to the Council for approval.

## **12. LAND TO THE REAR OF 30-36 POUNDFIELD ROAD, LOUGHTON**

### **Decision:**

(1) That the residents of 30, 34 and 36 Poundfield Road, 42 and 44 Alderton Hall Lane and 70 Greenfields Loughton be given an opportunity to purchase plots of the Council-owned former garage site to the rear of 30-36 Poundfield Road, Loughton for £20,000 subject to:

(a) a covenant being placed on the land restricting the land's use to garden use only and prohibiting the construction of any permanent structures on the land;

(b) the whole of the land being purchased by the residents;

(c) the land being purchased by no less than three of the residents who have expressed an interest;

(d) the residents obtaining the required planning permission for a change of use for the land;

(e) the residents accepting the Council's offer and submitting a planning application for the required change of use within 6 weeks of being advised of the Cabinet's decision;

(f) the residents completing the purchase of the land within 8 weeks of receipt of planning permission (subject to an extension of this period by mutual agreement of the Head of Housing Services and the residents);

(g) the purchasers being required to break up and dispose of the existing concrete surface and erect and maintain appropriate dividing fencing at their own cost;

(h) the purchasers agreeing amongst themselves the divisions of the land and the associated pro-rata purchase price arrangements; and

(i) the purchasers sharing the Council's standard valuation and Land Registry Search Fees and each paying the Council's standard legal fee;

(2) That, in the event of four or more of the residents being unable or unwilling to purchase the land on the above conditions, or the timescales set out within 1(e) and 1(f) not being met by the residents, the land be declared surplus to housing requirements and, in accordance with the Code of Practice on Surplus Land and Property within the Local Charter between the District Council and local councils, Loughton Town Council:

(a) be notified of the Council's intention to dispose of the land on the open market;

(b) be given 28 days to register their interest to purchase the freehold of the land (in accordance with the timescales set out in the Local Charter); and

(c) be advised that no discount on the sale price is offered;

(3) That, in the event of the Town Council expressing an interest to purchase the land, the Housing Portfolio Holder be authorised to consider the request and to determine and implement the District Council's response;

(4) That, in the event of the Town Council not expressing an interest to purchase the land, the land be offered for sale freehold on the open market by the Head of Legal Administration and Estates (without a covenant restricting its use to garden use), subject to;

(a) An overage clause being included in the terms of sale requiring the purchaser to pay the Council 35% of the difference between the purchase price and any subsequent increased land value due to planning permission for residential development, or any other use, being received within the following 10 years;

(b) Any valuations associated with the overage clause being agreed between the parties, but in the event of disagreement, the valuations being determined by the District Valuer; and

(c) The Head of Legal Administration and Estates being authorised to agree the detailed terms and particulars of the sale; and

(5) That the capital receipt arising from the sale of the land to the rear of 30-36 Poundfield Road - plus any further capital receipt from overage payments that may arise – be recycled to provide additional social housing grant to Estuary Housing Association and used to maximise the amount of affordable housing that can be provided on other Council-owned sites being planned for development.

### **13. PROVISION OF SACKS AND WHEELED BINS**

#### **Decision:**

(1) That the actions of officers in taking urgent steps to source additional dry recycling and garden waste sacks for the waste management service be endorsed;

(2) That, in view of the urgency of the situation, the retrospective setting aside of the relevant contract standing orders, be agreed; and

(3) That, subject to ongoing discussions with Otto UK, an additional capital estimate in the sum of £240,000, to be financed by a virement from the General Capital Contingency in the sum of £105,000 and a supplementary capital estimate in the sum of £135,000, be recommended to the Council for approval.

### **14. HOUSING REVENUE ACCOUNT FIVE-YEAR FORECAST**

#### **Decision:**

(1) That the Housing Revenue Account (HRA) Five-Year Forecast up to the year 2011/12 be noted;

(2) That HRA balances be maintained within the range of £3million to £4million, but generally around £3.5million; and

(3) That, by the inclusion of £1 million additional Revenue Contributions to Capital Outlay (R.C.C.O.), HRA balances be brought down to around £4million by 31 March 2012, and this additional expenditure be included in the next Capital Programme review.

**15. GRANT AID 2006/07 - WALTHAM ABBEY YOUTH 2000**

**Decision:**

(1) That funding from the Grant Aid Scheme for 2006/07 totalling £4,000 be awarded to Waltham Abbey Youth 2000, subject to the:

- (a) clarification of the Youth Centre's opening hours; and
- (b) provision of assurances regarding the long-term funding of the Youth Worker;

(2) That further approval be given to a three-year funding agreement between Waltham Abbey Youth 2000 and the District Council, commencing on 1 April 2007 and subject to the agreement of the level of service expected from Waltham Abbey Youth 2000; and

(3) That negotiations be continued with Waltham Abbey Youth 2000 in order to finalise the three-year funding agreement as soon as possible.

**16. WASTE MANAGEMENT CONTRACT SELECT LIST**

**Decision:**

That the inclusion of Kier Support Services in the select list of tenderers for the waste management contract be considered.

**17. EXCLUSION OF PUBLIC AND PRESS**

**Decision:**

**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 item 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>
18	Microsoft Enterprise Agreement	N/A

(This item is confidential as provided for by Regulation 21(1)(A) of the Local Authority (Executive Arrangements) (Access to Information) (England) Regulations 2000.)

19 Waste Management Contract Select List 3

**18. MICROSOFT ENTERPRISE AGREEMENT**

**Decision:**

(1) That, pursuant to Standing Order C10(1) (Negotiated Tendering), the Head of ICT be authorised to purchase a Microsoft Enterprise Agreement through the Office of Government Commerce (OGC) discount arrangement; and

(2) That, pursuant to Standing Order C10(1)(c), the reason for entering into a negotiated tendering exercise be noted as there is no effective competition for the Microsoft Enterprise Agreement due to the OGC discount agreement only being available from one source (Microsoft Ltd) and only available to UK Government bodies.

**19. WASTE MANAGEMENT CONTRACT SELECT LIST**

**Decision:**

That, subject to the receipt of a parent company guarantee from the Kier Group plc, Kier Support Services Ltd be included in the select list of tenderers for the waste management contract.

