



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 19 February 2007

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Call-In Expiry:	5 March 2007

This document lists the decisions that have been taken by the Cabinet held on Monday, 19 February 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 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

Agenda item:

4. BEST VALUE PERFORMANCE PLAN 2007/08 - SUMMARY VERSION

Decision:

That the Council's revised Summary Best Value Performance Plan for 2007/08 be agreed, subject to the following amendments:

- (a) addition of a reference to the affect of the imminent anti-smoking legislation within the District on:
 - (i) premises licensed by the Council; and
 - (ii) properties leased by the Council;
- (b) addition of a reference to the outside panels that the Council is involved in;
- (c) removal of the reference to the implementation of the parking review

in Buckhurst Hill and Epping;

(d) addition of a reference to the recent exhibition at the District Museum regarding the contribution of the Italian community to the District; and

(e) amendment of the reference regarding a further review of Overview and Scrutiny to continual monitoring of the Overview and Scrutiny arrangements.

5. REVIEW OF THE SEVERANCE POLICY - REDUNDANCY AND EARLY RETIREMENT

Decision:

(1) That the changes to the framework for early retirement and redundancy compensation contained in the Local Government (Early Termination of Employment)(Discretionary Compensation)(England and Wales) Regulations 2006 be noted;

(2) That, in cases of redundancy, Option 3 (paragraph 10) be adopted as the basis for redundancy payments to be made to employees whose employment is terminated by reason of redundancy (whether the individual is eligible to receive payment of early retirement benefits or not);

(3) That, under the 2006 Regulations, compensatory added years may not be paid in any cases of early retirement (i.e. neither on grounds of redundancy nor efficiency of the service) be noted;

(4) That, in the interests of the efficiency of the service, Option 7 (paragraph 10) (in tandem with option 2) be adopted in cases of retirement as the basis for early retirement benefits to be paid to individuals;

(5) That the above changes be implemented with effect from 1 March 2007, without a transitional period between the old policy and these proposals; and

(6) That the ongoing wider review of the Local Government Pension Scheme be noted, and will be the subject of a further report when the proposals are confirmed.

6. WASTE MANAGEMENT CONTRACT AND SPECIFICATION

Decision:

(1) That, in accordance with previous Cabinet decisions, the contract be tendered on the following basis:

(a) a price be sought for an alternate weekly residual collection but with a weekly collection for the period May to September;

(b) a price be sought for an all year round weekly residual collection; and

(c) both options to retain the existing alternate weekly collection of dry and wet recyclable materials;

(2) That the Cabinet's present policy on the waste contractor being responsible for fleet management be reaffirmed, but the possibilities for alternative methods of fleet procurement, including the Council purchasing the vehicles, be explored;

(3) That the principle of partnering be accepted and that the new contract contain provisions for a Partnership Charter and Innovation Forum(s);

(4) That, as part of the specification, the contractors be required to collect the widest possible range of recyclable materials and that, as part of the collection methodology, the fewest number of vehicles and passes as is practical be used;

(5) That, as part of the specification, the contractor be required to put forward proposals for the marketing of recyclable materials and where collection be on a source separated basis to discuss options of income sharing with the Council;

(6) That, as part of the specification, the contractor be required to submit proposals for managing the various bring schemes (recycling banks), including options of income sharing with the Council;

(7) That the existing Bank Holiday collection arrangements be retained within the specification and that proposals for change be dealt with through the partnership arrangements;

(8) That the existing arrangements for the provision of depot accommodation to the contractor by the Council be retained;

(9) That, subject to an assessment by the Council's consultants Indecon of the potential increased costs of meeting this enhanced street cleansing standard, the following principles be included in the specification for street cleansing:

(a) all high intensity zones (currently zones 1 & 2) will have an input based specification which will require a high standard to be achieved throughout the day. The time allotted to return to Grade A will be reduced from half a day to 3 hours;

(b) the first 10 metres of any road adjoining a high intensity zone will be classified as high intensity and the same standard applied;

(c) areas which are subject to the 'evening economy' will be allocated a special EFDC zone with a more stringent standard (high intensity 'plus') reflecting difficulties with takeaway shops, pubs and clubs etc;

(d) all medium and low intensity roads (currently zones 3 and 4) will be dealt with on an output based basis, but the contractor will be advised what level of cleansing activity is anticipated in order for the relevant standards to be met. All complaints or reports of standards not being met in medium and low intensity zones will need to be responded to within 1 day;

(e) litter picking alone will not be accepted as street cleansing (i.e. where there is a clearly defined kerblines);

(f) standards of street cleansing shall never be allowed to fall below the government requirements for BV199(a) and nor shall the standard in one year be allowed to fall below the year which preceded it;

- (g) that the contract enable the inclusion of graffiti and fly posting removal as part of the street cleansing service;
 - (h) the cleansing & maintenance of all litter bins will be the responsibility of the contractor (replacement and new bins will remain with the Council); and
 - (i) the contractor will provide street cleansing services to those local councils who request additional services at the same unit costs as being charged through the contract; and
- (10) That the collection of furniture for the Furniture Recycle Scheme be included within the conditions regarding the collection of bulky waste.

7. EAST OF ENGLAND PLAN - RESPONSE TO PROPOSED CHANGES

Decision:

- (1) That the response to the Secretary of State for Communities and Local Government about the Proposed Changes to the East of England Plan be based on the following:
- (a) welcome; the complete omission of North Weald as a major development location; the acknowledgement of development constraints south of the Stort Valley; the recognition that Green Belt policy in an area such as Epping Forest District precludes a continuing long term housing supply; and the greater local discretion afforded to such policy matters as housing densities, affordable housing tenures, and vehicle parking standards;
 - (b) support the greater focus on reducing carbon emissions and promoting renewable energy for new development, but point out that vehicular emissions and the performance of existing development are not addressed with equal force;
 - (c) support in principle the reintroduction of a major urban extension to the north of Harlow, whilst recognising that there are issues to be fully addressed, through a revised SA, but underline the need for the RSS Review to be the correct way of testing the case for an extension beyond 10,000 dwellings; in terms of both sub-regional impacts and alternative long term strategies;
 - (d) repeat arguments previously made against “smaller scale” urban extensions to the south and west of Harlow and against excessive growth to the east. Add that the issues of wastewater capacity and Harlow traffic constraints lend further support to these arguments and repeat the views about substitution of less constrained alternative sites elsewhere on the West Anglia Main Line;
 - (e) express grave concern that the proposed greater scale and annualised minimum rate of housing development is in contrast with more uncertainty (or lack of specificity) about supportive infrastructure and funding commitments, especially in the west Essex/Harlow area;
 - (f) object to the omission of any constructive reference to infrastructure at Harlow (especially transport and wastewater) despite studies already carried out and findings of the government commissioned Sustainability Appraisal;

(g) restate the serious doubt about the achievability of the proposed rate of development at Harlow in the light of infrastructure constraints; at least some conditionality should be expressed in policy;

(h) draw attention to the potential inconsistency between assumed growth at Key Centres 2021-2031 for Green Belt boundary review purposes and the forthcoming RSS Review's examination of alternative development strategies;

(i) repeat again the serious reservations about the justification for the proposed job and dwelling provision in Epping Forest District (apart from Harlow extensions);

(j) stress the need for the Sustainability Appraisal of the Proposed Changes to be revised in order to address deficiencies identified by EERA commissioned work, and for the Secretary of State to revisit her conclusions and Proposals for Epping Forest, Harlow and infrastructure conditionality accordingly;

(k) emphasise the concern that the focus of the Proposed Changes on a "high level" Plan, with little or no specificity about infrastructure and question marks over housing numbers by location and over job growth, leaves many difficult issues to be resolved by Local Authorities at LDD stage; a burden and a recipe for delay; and

(l) make clear EFDC's willingness to continue to work jointly with other stakeholders to prepare options appraisals and Local Development Documents for Harlow, once the East of England Plan is finalised;

(2) That the Head of Planning and Economic Development be authorised to prepare a detailed response, (including a version in bullet points letter format to also be signed by the Local Strategic Partnership) in conjunction with the Leader of Council and the Portfolio Holder for Planning & Economic Development ;

(3) That the response be copied to local MPs, EERA, Local Councils and campaign groups, and affected adjoining authorities; and

(4) The Head of Planning and Economic Development be requested to submit a report at the earliest opportunity with an indication of the likely resources needed for Forward Planning in the future, for the Cabinet to consider.

8. CONTRACT STANDING ORDERS AND OFFICER DELEGATIONS REVIEW

Decision:

(1) That the following recommendations being submitted by the Constitutional Affairs Scrutiny Panel to the Council on 20 February 2007 be noted:

(a) that the revised Contract Standing Orders set out in Appendix 1 of the Panel's report to the Council be approved and incorporated in the Council's Constitution;

(b) that the schedule of changes to officer delegation set out in Appendix 2 of the Panel's report to the Council be adopted and incorporated in the Council's Constitution;

(c) that, in accordance with recommended best practice of the Audit Commission, future annual reviews be carried out in respect of:

(i) Contract Standing Orders;

(ii) Financial Regulations; and

(iii) Officer Delegations;

(2) That the changes to the responsibilities of Portfolio Holders arising in Contract Standing Orders C1(4), C21 and C31 be noted; and

(3) That the Cabinet have no further comments to make to the Council by the Leader of the Council be noted.

