



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 16 July 2007

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This document lists the decisions that have been taken by the Cabinet held on Monday, 16 July 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:

6. RELEASE OF RESTRICTIVE COVENANT - LOUGHTON HALL, EPPING FOREST COLLEGE

Decision:

That the release of the Restrictive Covenant at Loughton Hall, Epping Forest College be deferred until a later meeting of the Cabinet, pending the outcome of the marketing exercise.

7. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 18 JUNE 2007

Decision:

(a) Provisional Revenue Outturn

(1) That the 2006/07 Revenue outturns for the General Fund and Housing Revenue Account be noted; and

(2) That the carry forward of £873,000 of District Development Fund expenditure from 2006/07 to 2007/08 be approved;

(b) Provisional Capital Outturn

(3) That the Capital outturn for 2006/07 be noted;

(4) That the under and overspends for the Capital Programme in 2006/07 be retrospectively approved;

(5) That the carry forward of unspent estimates into 2007/08 for delayed Capital schemes be approved;

(6) That the bringing forward of estimates into 2006/07 for Capital schemes which progressed more rapidly than anticipated be approved; and

(7) That the previous approvals to use the unapplied balance of transitional capital receipts for financing contributions to affordable housing schemes be noted;

(c) Risk Management

(8) That the updated Corporate Risk Register be adopted; and

(d) Local Area Agreement for Essex

(9) That the current position with regard to the Essex Local Area Agreement and the Performance Reward Grant received to date be noted; and

(10) That, given the likely requirements of the new Comprehensive Area Assessment and the Government's stated long-term commitment to Local Area Agreements and financial advantages, the Overview and Scrutiny Committee be requested to consider how the Council can become more actively involved in the future.

8. ANNUAL REPORT OF THE EXECUTIVE 2006/07

Decision:

That the Annual Report of the Executive for 2006/07 be endorsed.

9. CHARGING FOR PRE-APPLICATION DISCUSSIONS

Decision:

(1) That the approaches adopted by other local authorities in respect of charging for pre-application discussions between planning officers and developers be noted;

(2) That a charge of £1,500 plus VAT be introduced for such discussions in relation to major planning applications from 1 October 2007;

(3) That the draft scheme be agreed in principle, subject to the addition of a reference to a summary of the advice given being available within a pre-determined timescale;

(4) That advance publicity for the scheme be given:

(a) to other Essex authorities;

(b) on the Council's website; and

(c) in the Planning Services Reception; and

(5) That the scheme be monitored and reviewed before the end of its first year of operation.

10. CONTAMINATED LAND CONSULTANCY BUDGET

Decision:

(1) That the creation of a new Continuing Services Budget for Contaminated Land Consultancy in the sum of £40,000 per annum be recommended to the Council for approval;

(2) That this budget be funded by income from the introduction of a scheme of Charging for Pre-Application Discussions; and

(3) That, should the additional spending exceed the additional income, the Contaminated Land Consultancy budget be funded from other savings to be identified within the Planning Services budget, such that there is no overall increase in the Continuing Services Budget.

11. KEY PERFORMANCE INDICATORS - 2006/07 AND 2007/08

Decision:

(1) That the Council's performance in relation to Best Value Performance Indicators (BVPIs) and Local Performance Indicators (LPIs) for 2006/07 be noted;

(2) That the Council's Key Performance Indicators (KPIs) for 2006-07 be readopted for 2007-08, with the exception of:

(a) BVPI 164 – Race Equality in Housing;

(b) BVPI 183a – Length of stay in Bed and Breakfast accommodation; and

(c) LPI CEM1 – Penalty Charge notices for Car Parking;

(3) That no further BVPIs or LPIs be adopted as KPIs for 2007/08; and

(4) That a target be set for at least 75% of the KPIs to achieve top quartile (or other appropriate target) performance for 2007-08.

12. LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH BILL

Decision:

(1) That, with the Local Government and Public Involvement in Health Act due to become law, the Overview and Scrutiny Committee be requested to conduct a review of executive governance in conjunction with other aspects of the Act which the Committee was already dealing with; and

(2) That a further awareness session for Members and Senior Officers on the provisions of the Act be authorised.

13. ASSET MANAGEMENT PLAN 2007-12

Decision:

That the Asset Management Plan 2007-12 be recommended to the Council for adoption.

14. VARIATION OF CONTRACT - BLOCK 1 - 8, EDWARD COURT, WALTHAM ABBEY

Decision:

That, in accordance with Contract Standing Order C31(3), the exceeding of the original contract sum by £9,301.61 (61%) for the underpinning works at 1-8 Edward Court, Waltham Abbey be noted.

15. JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY - LETTER OF SUPPORT

Decision:

That, in support of the Joint Municipal Waste Management Strategy, the signature of the Letter of Support by the Chairman of the West Essex Waste Management Joint Committee be endorsed.

16. GRANT AID 2007/08 - HIGH BEACH VILLAGE HALL & WALTHAM ABBEY YOUTH 2000

Decision:

(1) That funding from the Grant Aid Scheme for 2007-08 totalling

£3,700 be awarded to High Beach Village Hall Management Committee; and

(2) That £4,311 be agreed as the payment in respect of 2007-2008, being the first year of a three year funding agreement, to Waltham Abbey Youth 2000.

17. ADDITIONAL PITCH PROVISION FOR GYPSIES AND TRAVELLERS

Decision:

(1) That, for the purposes of discussions with potential developers, the draft Core Strategy Policy on Gypsy and Traveller Provision be recommended to the Council for approval in order that provision be delivered along with any major developments resulting from the East of England Plan;

(2) That, should the combined effect of the draft Core Strategy Policy and developers' keenness to develop sites not result in sufficient planned provision, the Council's approach to planned Gypsy and Traveller provision be comprised of the Core Strategy Policy and a Land Allocations Development Plan Document as necessary;

(3) That GO-East be informed of the Council's opinion:

(a) That planned provision be better achieved via the Core Strategy Policy than by a Gypsy and Traveller Development Plan Document; and

(b) That a Gypsy and Traveller Development Plan Document would be expected to lead to greater public unacceptability and challenge, with corresponding delays and consequently less certainty of provision;

(4) That, given its lesser effectiveness, GO-East also be informed the extra resources required to produce a Gypsy and Traveller Development Plan Document cannot be justified due to:

(a) the burgeoning requirements of the Local Development Framework; and

(b) the range of housing and employment issues arising from the East of England Plan;

(5) That, should the Holmesfield Nursery appeal be dismissed, further approaches be made to Essex County Council's Gypsy and Traveller Services Manager for assistance in formulating planning applications for other unauthorised sites within the District; and

(6) That should approaches to Essex County Council's Gypsy and Traveller Services Manager not yield a satisfactory answer, the use of consultants be considered.

18. EERA CONSULTATION ON PLANNING FOR GYPSY AND TRAVELLER

ACCOMODATION IN THE EAST OF ENGLAND

Decision:

(1) That, in order to meet the deadline of 31 July 2007, the formal responses to the 16 questions contained within the consultation document be agreed; and

(2) That, following the outcome of any research work completed by consultants on behalf of the Essex Planning Officers Association, the Planning and Economic Development Portfolio Holder be authorised to amend the responses to any of the questions contained within the consultation document.

19. CLG CONSULTATION - DRAFT GUIDANCE ON THE DESIGN OF SITES FOR GYPSIES AND TRAVELLERS

Decision:

That, as part of the Department of Communities and Local Government consultation on the draft Guidance on the Design of Sites for Gypsies and Travellers, the following responses be agreed:

(a) the Guidance should contain explanatory and illustrative diagrams and photographs, highlighting the land take requirements of individual pitches as well as sites of 12 to 15 pitches; and

(b) the Guidance should address in detail:

(i) the potential conflict of site requirements, notably the number of permanent structures in the context of the need to protect the openness of the Green Belt;

(ii) the need to seek to achieve parity with the policies as applied to the settled community.

21. SPRINGFIELDS IMPROVEMENT SCHEME - TENDER

Decision:

(1) That, being the lowest and most economically advantageous tender received, the Springfields Improvement Scheme Contract be awarded to Apollo London Limited, in the sum of £3,233,204;

(2) That, based upon a shorter contract period as put forward by Apollo London Limited during the tender process, the Head of Housing Services be authorised to agree a reduced contract sum by up to £70,000, provided the revised contract programme and all health and safety measures are considered realistic and achievable; and

(3) That, until the completion of the scheme, short reports on the

progress of the scheme be given at each meeting of the Cabinet.

22. APPOINTMENT OF PARKING ENFORCEMENT CONTRACTOR

Decision:

- (1) That Vinci Park be appointed as the Council's Parking Enforcement Contractor in the sum of £721,579 per annum for the period 1 October 2007 to 20 September 2012, with an option to extend to 2014;
- (2) That the inclusion within the contract of a sum of £45,000 for enhanced facilities be noted;
- (3) That, in addition to the existing facilities at Burton Road in Loughton, the inclusion of a new Parking Office within the contract be noted;
- (4) That, through the provision of the new contract, the following increases within the Continuing Services Budget (CSB) be noted:
 - (a) £19,455 for 2007/08; and
 - (b) £38,910 per annum thereafter;
- (5) That, in order to meet the Government requirements under the Traffic Management Act 2004 and to undertake residual highway functions, an additional full-time post be added to the establishment, at a cost of:
 - (a) £12,500 for 2007/08; and
 - (b) £25,000 per annum thereafter;
- (6) That a revenue CSB supplementary estimate in the sum of £31,955 for 2007/08 be recommended to the Council for approval; and
- (7) That a revenue CSB growth bid in the sum of £63,910 for 2008/09 be made.

23. APPOINTMENT OF WASTE MANAGEMENT SERVICE PROVIDER

Decision:

- (1) That, in accordance with the recommendations of the Waste Management Contract Appointment Panel, the appointment of Sita UK as the Council's waste management service provider with effect from 5 November 2007 for five years in the sum of £4,427,958 per annum be recommended to the Council for approval; and
- (2) That, as recommended by the Waste Management Contract Appointment Panel, the level of service for residual waste collections be:

- (a) a 22-week period of weekly collections from May to September; and
- (b) a 30-week period of alternate weekly collections from October to April.

24. DEVELOPMENT LAND SALE - T11 INDUSTRIAL ESTATE, LOUGHTON

Decision:

- (1) That the request from Exton Estates Limited to include provision within the sale contract to assign the agreement to Rock Investment Holdings Limited for the same purchase price after an exchange of contracts but prior to legal completion be approved; and
- (2) That, should the agreed sale to Exton Estates Limited not proceed to completion, the Head of Legal, Administration and Estates, through property consultants Lambert Smith Hampton and in consultation with the Leader of the Council, be authorised to complete a select tender exercise inviting short-listed offerees from the original marketing exercise to submit fresh, final and best offers to purchase the site for the Cabinet's consideration.

25. EPPING FOREST COLLEGE SITE - DEVELOPMENT OF AFFORDABLE HOUSING

Decision:

- (1) That the terms of the Section 106 Agreement for the development of affordable housing at the Epping Forest College site, requiring Redrow Homes (Eastern) Limited to work with the Council's preferred Registered Social Landlord partner London and Quadrant Housing Trust or an alternative Registered Social Landlord from the Council's list of preferred Registered Social Landlord partners, be noted;
- (2) That the request from Redrow Homes (Eastern) Limited for the Council to nominate an alternative preferred Registered Social Landlord partner be noted;
- (3) That the Head of Housing Services be authorised to undertake further negotiations with Redrow Homes (Eastern) Limited, the Housing Corporation and the Council's preferred Registered Social Landlord partners with a view to nominate an alternative Registered Social Landlord partner for the development on terms no less favourable than currently applying to London and Quadrant Housing Trust;
- (4) That the intention of the Council be that such negotiations be resolved without further financial commitment by the Council; and
- (5) That, following the outcome of such negotiations by the Head of

Housing Services, authority be delegated to the Leader of the Council and the Housing Portfolio Holder to resolve any further issues that might arise.

