



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 8 October 2007

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This document lists the decisions that have been taken by the Cabinet held on Monday, 8 October 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:

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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:

7. WEBCASTING PROJECT

Decision:

- (1) That the project evaluation report for the webcasting pilot be noted;
- (2) That the support for the continuation of the project after 31 March 2008 by the Overview and Scrutiny Committee be endorsed;
- (3) That a revenue CSB growth bid in the sum of up to £25,000 and a revenue DDF growth bid in the sum of £4,000 for 2008-09 be made, subject to:
 - (a) the receipt and consideration of further advice from the Essex Procurement Hub on any pre-tender expressions of interest received from other companies able to provide webcasting services to the Council;

- (b) final budgetary approval by the Council; and
- (c) satisfactory contract terms, conditions and specification being met by any supplier;
- (4) That, following approval of the budget by the Council and further advice from the Essex Procurement Hub, the Finance, Performance Management & Corporate Support Services Portfolio Holder be given delegated authority to either:
 - (a) accept the lowest tender and authorise the entering into a three-year contract for webcasting services with the successful tenderer; or
 - (b) approve a negotiated contract with the existing contractor; and
- (5) That, if necessary, the Deputy Chief Executive be authorised to extend the current contract with the existing contractor on a month-by-month basis from 1 April 2008 to ensure the continuation of the service during any tender process.

8. CIVIC OFFICES FIVE-YEAR ROLLING MAINTENANCE PROGRAMME

Decision:

- (1) That the works approved for 2007-08, both capital and revenue, currently in progress and anticipated to be completed by 31 March 2008 be noted.
- (2) That, in order to carry out essential and planned preventative maintenance works at the Civic Offices, the following capital growth bids be made:
 - (a) in the sum of £158,000 for 2008-09;
 - (b) in the sum of £86,000 for 2009-10;
 - (c) in the sum of £4,000 for 2010-11; and
 - (d) in the sum of £10,000 for 2011-12; and
- (3) That, in order to carry out essential and planned preventative maintenance works at the Civic Offices, a revenue DDF growth bid in the sum of £37,500 be made for 2008-09.

9. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 24 SEPTEMBER 2007

Decision:

(a) Budget 2008-09 – Financial Issues Paper

- (1) That the 2008/09 budget guidelines be set in accordance with the revised four year forecast as follows:

- (a) the ceiling for CSB net expenditure be no more than £17.314m including net growth;
 - (b) the ceiling for DDF (one-off) expenditure be no more than £186,000;
 - (c) balances continue to be aligned to the Council's net budget requirement and that balances be allowed to fall no lower than 25% of the net budget requirement;
 - (d) the Council Tax to be increased by no more than the rate of increase in the Retail Price Index;
- (2) That a revised medium term strategy for the period to 2010-11 be developed in accordance with the forecast considered by the Cabinet Committee;
 - (3) That communication of the revised medium term financial strategy to staff, partners and other stakeholders be undertaken by way of publishing key bullet points in appropriate publications; and
 - (4) That the policy of capitalisation of additional pension fund deficit payments be continued for the period 2009-10 to 2011-12.

10. SPRINGFIELDS IMPROVEMENT SCHEME - PROGRESS REPORT I

Decision:

- (1) That the decision made by the Cabinet on 16 July 2007 relating to the member reporting arrangements on progress with the Springfields Improvement Scheme be rescinded;
- (2) That the decision made by the Cabinet on 15 November 2004 be re-confirmed, such that the Housing Portfolio Holder receives monthly progress reports, with a copy of the monthly report being presented to the Cabinet every 3 months or sooner should a significant event or overspend occur; and
- (3) That the project management structure for the Springfields Improvement Scheme be amended as follows:
 - (a) the Housing Portfolio Holder as Project Sponsor;
 - (b) the Director of Housing as Project Champion;
 - (c) the Assistant Head of Housing (Property & Resources) as Project Co-ordinator; and
 - (d) the Senior Architectural Assistant as Design Team Coordinator.

11. HOME OWNERSHIP GRANTS SCHEME

Decision:

- (1) That a new Home Ownership Grants Scheme in 2008-09 be piloted by the Council, comprising:

- (a) the provision of capital grants by the Council of £34,000 to existing Council secure tenants to purchase a property on the open market;
 - (b) secure tenants to be eligible for the grant, irrespective of the size and type of Council home they currently occupy and their length of tenancy, and without any limitations on the type, size or price of the property they wish to purchase; and
 - (c) through the use of a legal charge, grant recipients to be required to repay a proportion of the grant if they sell the purchased property within five years, with the proportions set at the same as those that currently apply under the Right to Buy;
- (2) That, under the Pilot Scheme, up to 5 Home Ownership Grants (totalling £170,000) be provided;
 - (3) That, in order to fund the Pilot Scheme, provision of £170,000 be made within the Housing Revenue Account Capital Programme for 2008-09;
 - (4) That the Director of Housing and the Director of Corporate Support Services be authorised to agree the detail of the scheme and the necessary legal agreements; and
 - (5) That the Pilot Scheme be reviewed by the Housing Portfolio Holder after six months operation, including consideration of whether the funding allocated is sufficient.

12. SHARED OWNERSHIP POLICY

Decision:

That the following Shared Ownership Policy be adopted:

- (1) On development sites subject to legal agreements under Section 106 of the Town & Country Planning Act 1990, and other sites on which the Council is able to exercise influence (e.g. land in its ownership), the Council will seek to ensure that, generally;
 - (a) a minimum of 30% of the overall affordable housing provision is delivered in the form of shared ownership (New Build Homebuy);
 - (b) the target average initial equity share sold to shared owners across all the shared ownership homes within any development be 35%;
 - (c) shared owners are able to purchase a minimum equity share of 25% and a maximum equity share of 50% for shared ownership schemes;
 - (d) shared owners are able to purchase additional equity shares (staircase) up to full 100% ownership, except for rural housing schemes for which a maximum of 80% equity can be purchased under current Housing Corporation policy; and
 - (e) shared owners pay an initial rent of no more than 2.5% of the unsold equity per annum, with subsequent rent increases determined in accordance with the relevant housing association's rent setting policy.

13. REVIEW OF THE RSL PARTNERING AND JOINT COMMISSIONING SCHEME

Decision:

(1) That the Council's Scheme of RSL Partnering and Joint Commissioning be discontinued and replaced with the Preferred RSL Partnering Scheme, as attached to the Cabinet report; and

(2) That in exceptional circumstances, the Director of Housing, through consultation with the Housing Portfolio Holder, be authorised to work with other Registered Social Landlords that are not members of the Council's Preferred RSL Partnering Scheme for specific schemes only, subject to them meeting the same evaluation criteria as those Registered Social Landlords that are members of the Council's Preferred RSL Partnering Scheme.

14. BUDGET VIREMENT - WORKS UNIT

Decision:

(1) That, due to continuing recruitment problems with Craft-workers, the increased use of sub-contractors by the Building Maintenance DSO be noted; and

(2) That, as contained within the overall Building Maintenance DSO Budget for 2007-08, a virement in the sum of £200,000 be made from the Salaries allocation (78 001 0100) to Sub-Contracting expenditure (TB 100 3420).

15. EPPING DRINKING FOUNTAIN

Decision:

That the previously agreed Cabinet decision to transfer ownership and responsibility of the Epping Drinking Fountain to Epping Town Council be rescinded.

16. ECONOMIC REGENERATION

Decision:

(1) That, in order to enable the Council to understand the local economy and to ensure that the new Economic Regeneration Strategy meets local needs, the use of the nationally available economic regeneration indicators and other indicators requiring local collection be agreed;

(2) That the future adoption of an Economic Regeneration Strategy, which is both sustainable and appropriate to the local context yet is conversant with regional and national policy direction, be agreed; and

(3) That the linking of the Economic Regeneration Strategy to existing partnership working arrangements at local and regional level be agreed.

17. ESSEX COUNTY COUNCIL TREE PRESERVATION ORDERS

Decision:

- (1) That the proposals agreed by Essex County Council (ECC) for transferring the responsibility of Tree Preservation Orders (TPO's) made originally by the County Council to the District Council, and the suggested alternative options for dealing with this issue be noted;
- (2) That the following actions in respect of the ECC TPO's be approved:
 - (a) the prioritisation of the required survey work according to risk/importance;
 - (b) the full utilisation of the ECC staff time on offer for survey work; and
 - (c) the extension of the contract for post PPE/37 (Technical Support officer) until June 2009 at a cost of approximately £18,000, funded by DDF monies (Planning Delivery Grant), to carry out all the administrative work in connection with the new TPO's; and
- (3) That a progress report be placed in the Members' Bulletin after six months, unless further issues necessitate a report to the Cabinet.

18. THE BROADWAY TOWN CENTRE ENHANCEMENT SCHEME

Decision:

- (1) That the outcome of technical discussions with the Essex County Council (ECC) and National Grid Gas (NGG) be noted;
- (2) That the revised scheme for the enhancement of The Broadway be worked up in detail, subject to comments by NGG and agreements with ECC;
- (3) That the revised resource implications be agreed; and
- (4) That a further report upon the progress of the scheme be received in due course.

19. YOUTH INITIATIVES SCHEME - WORK PROGRAMME

Decision:

- (1) That the arrangements for the Youth Initiatives Scheme programme, including the revised schemes at Buckhurst Hill and Lambourne and the additional provision for Chigwell be approved: and
- (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.

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

Decision:

- (1) That, in order to enable a provisionally arranged sale of Loughton Hall for use as a residential care home to proceed, the representations received from Epping Forest College concerning its application to the Council to release a restrictive covenant be noted;
- (2) That the renunciation of the Council's right of pre-emption to purchase Loughton Hall and the library site adjoining Epping Forest College be recommended to the Council for approval;
- (3) That the College's application for the release of the restrictive covenant affecting Loughton Hall, within the grounds of Epping Forest College, be approved and the following new covenants be imposed:
 - (a) prohibiting the use of the Hall for any purpose other than residential care home, community, education or health purposes; and
 - (b) specifically prohibiting the use of the Hall for any residential purpose other than as a residential care home; and
- (4) That the developer be requested to permit public access, under such terms and requirement for escort as may be agreed, to the fine rooms on the ground floor of Loughton Hall on not less than four days every year without charge.

21. CAPITAL PROGRAMME REVIEW FROM 2007-08 TO 2011-12

Decision:

- (1) That the latest five-year forecast of capital receipts be noted;
- (2) That the level of usable capital receipts currently predicted to be £17,963,000 at 31 March 2012 be noted;
- (3) That the revised Capital Programme 2007-08 to 2011-12 be approved;
- (4) That the following be approved or, where relevant, be recommended to the Council for approval:
 - (a) a supplementary capital estimate in the sum of £13,000 for a new tractor for the Grounds Maintenance Service (to be financed from the capital receipt generated by the sale of the old tractor) and a bring forward in the sum of £3,000 from 2008-09 to 2007-08;
 - (b) revised capital bids for Civic Office Works in the sums of:
 - (i) £373,000 for 2008-09;
 - (ii) £86,000 for 2009-10;
 - (iii) £4,000 for 2010-11; and
 - (iv) £10,000 in 2011-12;

- (c) a virement in the sum of £7,000 from the General Capital Contingency to finance the outstanding remedial works at Loughton Leisure Centre;
- (d) a virement in the sum of £85,000 from the General IT budget to finance the remaining works on Computer Suite 2 at the Civic Offices;
- (e) a carry forward in the sum of £681,000 from 2007-08 to 2008-09 regarding the works at Bobbingworth Tip due to delays resulting from unfavourable weather conditions;
- (f) a carry forward in the sum of £2,000,000 from 2007-08 to 2008-09 in respect of the Town Centre Enhancement Scheme at Loughton Broadway;
- (g) a carry forward in the sum of £20,000 to be utilised for work at Ongar Leisure Centre in 2008-09, pending a further report;
- (h) a carry forward in the sum of £221,000 from 2007-08 to 2008-09 with regard to parking reviews and associated traffic management schemes;
- (i) a carry forward in the sum of £55,000 from 2007-08 to 2008-09 for flood alleviation schemes due to estimated re-profiling of works;
- (j) carry forwards in the sums of £132,000 and £702,000 from 2007-08 to future years for disabled facilities grants and other private sector grants respectively;
- (k) a carry forward in the sum of £500,000 to 2008-09 for contributions to Housing Associations for the provision of affordable housing ;
- (l) virements within the Housing Revenue Account (HRA) in the sums of £200,000 to heating projects, £893,000 to kitchen and bathroom replacements within the cost reflective repairs category, and £90,000 to estate environmental works within non cost reflective repairs category be approved from windows, roofing and asbestos works (£647,000), structural schemes (£90,000), small capital repairs (£198,000), and other planned maintenance (£248,000) in 2007-08; and
- (m) carry forwards totalling £2,327,000 from 2007-08 to 2008-09 in respect of various categories of work within the HRA;
- (5) That estimated HRA expenditure of £4,696,000, to be spent on the Council's own affordable housing and regeneration projects in 2007-08, be approved; and
- (6) That the policy of capitalising additional pension deficit payments be maintained, and that in order to fund future payments a transfer of £2,500,000 be made from Usable Capital Receipts to the Pension Deficit Reserve.

22. EXCLUSION OF PUBLIC AND PRESS

Decision:

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:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
24	Employer's Liability Claim - Asbestos	1

23. EMPLOYER'S LIABILITY CLAIM - ASBESTOS

Decision:

- (1) That the appointment of external solicitors with relevant experience to handle this claim on behalf of the Council be agreed;
- (2) That this claim will give rise to a significant liability be noted but it is anticipated that no additional resources will be required;
- (3) That, in order to fully recover any costs incurred in dealing with this and any similar future cases, action (including High Court proceedings if appropriate) against either or both Zurich Municipal and Municipal Mutual be authorised; and
- (4) That the possibility of a supplementary estimate in the future to cover the costs of any such action taken as authorised above be noted.

