



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 10 March 2008

Date of Publication:	18 March 2008
Call-In Expiry:	26 March 2008

This document lists the decisions that have been taken by the Cabinet held on Monday, 10 March 2008, 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. Those decisions that are listed as being "recommended to Council for..." are not eligible for call-in. The wording used will not necessarily reflect the actual wording that will appear in the minutes, which will take precedence as the minutes are the official record of the meeting.

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

Gary Woodhall
Democratic Services Officer
Tel: 01992-564470
Email: gwoodhall@eppingforestdc.gov.uk

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

Decision No:

8. CORPORATIVE INITIATIVE - SAFER, CLEANER AND GREENER

Decision:

- (1) That the Overview and Scrutiny report in respect of the Safer, Cleaner and Greener corporate initiative for 2008/09 be noted;
- (2) That the following enforcement functions, identified as national priorities by the Rogers Review, be incorporated in the Safer, Cleaner and Greener corporate initiative:
 - (a) air quality;
 - (b) health in the workplace;

- (c) alcohol licensing (including entertainment licensing); and
 - (d) hygiene in food businesses;
- (3) That the following enforcement functions, identified as local priorities by the Rogers Review, be incorporated in the Safer, Cleaner and Greener corporate initiative:
- (a) local environmental quality;
 - (b) contaminated land;
 - (c) noise nuisances;
 - (d) housing health & safety rating scheme;
 - (e) accidents in the workplace; and
 - (f) licensing of houses in multiple occupation;
- (4) That, although not included in the Rogers Review, the crime and disorder enforcement function be incorporated in the Safer, Cleaner and Greener corporate initiative;
- (5) That the following enforcement functions, identified as non-priority items by the Rogers Review, be examined for possible future incorporation in the Safer, Cleaner and Greener corporate initiative:
- (a) litter, fly-tipping, dog fouling, statutory nuisances and stray dogs;
 - (b) animal related licensing;
 - (c) private water supplies;
 - (d) private sewers & drains;
 - (e) unauthorised encampments;
 - (f) land drainage; and
 - (g) other licensing matters;
- (6) That enforcement activities falling outside of these categories and/or outside of the Rogers Review terms of reference be further reviewed;
- (7) That the general findings of the Encams Local Environmental Quality report be noted;
- (8) That existing partnerships be reviewed and where appropriate new partnerships be established in order to enable the full suite of Cleaner Neighbourhoods powers to be utilised;
- (9) That the use of fixed penalty notices be endorsed as part of a revised enforcement strategy, including the use of the Essex Police Community Safety Accreditation Scheme for enforcement officers; and
- (10) That the existing corporate enforcement policy be reviewed in the light of the Rogers Review recommendations.

9. SPRINGFIELDS IMPROVEMENT SCHEME - PROGRESS REPORT III

Decision:

That the current progress of the Springfields Improvement Scheme, including an anticipated £164,000 saving against the agreed budget, be noted.

10. SITES IN ST JOHN'S ROAD, EPPING - DEVELOPMENT & DESIGN BRIEF

Decision:

(1) That a Development and Design Brief be prepared to guide the future redevelopment and reuse of several sites and buildings in St. John's Road, Epping;

(2) That, partly because of urgency, partly because of internal capacity and partly to bring specialist knowledge, Consultants be appointed to produce the Development and Design Brief;

(3) That at least 50% of the required funding to prepare the Brief be sought from Essex County Council;

(4) That the Council's proportion of the cost of the Brief be met from existing Local Development Framework District Development Fund budget provision; and,

(5) That delegated authority be given to the following to agree the scoping report and list of consultants:

(a) Leader of the Council;

(b) Planning & Economic Development Portfolio Holder;

(c) Housing Portfolio Holder;

(d) Finance, Performance Management & Corporate Support Services Portfolio Holder; and

(e) the Chairman of Area Planning Sub-Committee East.

11. SOCIAL HOUSING GRANT - THE QUARTER, ONGAR

Decision:

(1) That a further payment of £35,000 social housing grant be paid to London & Quadrant (L&Q) Housing Trust, in accordance with the legal agreement between the Council and L&Q, in respect of the conversion of tenures and rents at The Quarter, Chipping Ongar from market rented to social rented properties, as previously agreed by the Cabinet; and

(2) That the remaining outstanding balance of £255,000 to L&Q be paid, in accordance with the legal agreement, as and when further financial contributions are received from developers in accordance with Section 106 Planning Agreements, without further reference to the Cabinet.

12. NATIONAL OUTCOME AND INDICATOR SET

Decision:

- (1) That the details of the new National Outcome and Indicator Set to be introduced from April 2008 be noted;
- (2) That, due to the concerns expressed by the Corporate Executive Forum and Management Board, the deferral of National Indicator 14 (Avoidable Contact) until after the issue of new guidance be noted; and
- (3) That, subject to the views of the Finance & Performance Management Scrutiny Panel, proposals for the continued reporting and monitoring of appropriate existing Best Value and Local Performance Indicators be agreed.

13. ESSEX LOCAL AREA AGREEMENT 2008-11 - 'LIBERATING POTENTIAL'

Decision:

- (1) That the current progress with regard to the development of the second Local Area Agreement for Essex be noted: and
- (2) That the following indicators for the Council to 'have regard to' be agreed:
 - (a) more people supported to live in their own homes and better support for carers;
 - (b) more volunteering and participation in sport and culture;
 - (c) Essex is a safe place to live;
 - (d) a smaller carbon footprint with less waste; and
 - (e) a well managed natural environment.

14. LOCAL DEVELOPMENT FRAMEWORK ARRANGEMENTS

Decision:

- (1) That the Planning & Economic Development Portfolio Holder be requested to establish a Local Development Framework Advisory Group;
- (2) That the Local Development Framework Advisory Group be composed of the following Group nominations:
 - (a) six Conservatives;
 - (b) two Liberal Democrats;
 - (c) one British National Party;
 - (d) one Loughton Residents Association; and
 - (e) one Independent Group; and
- (3) That the principle of working in a joint and/or coordinated way with adjoining local authorities to ensure a sound evidence base is produced to

support the Core Strategy be approved.

15. YOUTH INITIATIVES SCHEME - WORK PROGRAMME

Decision:

(1) That the arrangements for the completion of the Youth Initiatives Scheme programme, including the possibility of works on the Buckhurst Hill and Waltham Abbey Schemes extending into the 2008/09 financial year, be noted; and

(2) That the Finance, Performance Management & Corporate Support Services Portfolio Holder be authorised to release funds for approved schemes on an ongoing basis in accordance with the timetables of works provided by the Parish and Town Councils.

16. LOCAL GOVERNMENT PENSION SCHEME

Decision:

(1) That, after 1 April 2008, a scheme member's contribution rate be assessed whenever there has been a material change to their pensionable pay;

(2) That the eligibility for additional pension of up to £5,000 per annum not be permitted for scheme members;

(3) That, provided the Council is not subject to additional costs on the early release of benefits, a Flexible Retirement Scheme for active scheme members aged 60 to 65 be adopted;

(4) That Flexible Retirement can be requested by an active scheme member provided:

(a) there has been a permanent reduction to their hours by 25%; or

(b) there has been a reduction in grade (excluding the results of the job evaluation or redeployment processes); and

(c) the request was made within 3 months of the change;

(5) That an active scheme member not be permitted to exercise a second flexible retirement option; and

(6) That active scheme members only be permitted to transfer-in previous pension rights to the scheme within twelve months of joining the Council.

17. LOCAL BIODIVERSITY ACTION PLAN

Decision:

(1) That the Local Biodiversity Action Plan be adopted; and

(2) That an annual report on progress with the Plan and the achievement of its targets be received.

18. BUILDING MAINTENANCE WORKS UNIT AND HOUSING REPAIRS REVIEW

Decision:

(1) That with effect from 1 May 2008 when the Building Maintenance section within the current Works Unit transfers to the Housing Directorate:

(a) the Building Maintenance Works Unit be downsized and combined with the Housing Repairs Section; and

(b) the remaining responsive repairs service be externalised through existing and new framework agreements;

(2) That, for a period of up to three years, an interim management arrangement be implemented for the supervision of the combined Building Maintenance and Repairs Service, which would include:

(a) placing an advertisement in the EU Journal seeking expressions of interest from repairs main contractors;

(b) inviting tenders based on experience, performance, quality, continuity of service, management support, employment terms and conditions and cost; and

(c) holding interviews with the individual manager and management team put forward by the main contractor;

(3) That the Building Maintenance and Repairs Service be operated from the existing combined Epping Depot site until such time as the service can be consolidated into one site (formerly the Dairy Crest Depot) when the rear site can then be vacated to allow any future redevelopment in conjunction with Essex County Council as part of the school redevelopment;

(4) That Contract Standing Order C6 (Contracts Exceeding £50,000) be waived for a range of responsive repairs work that will not be undertaken by the Building Maintenance Work Unit (BMWU), to the aggregated value of around £750,000 per annum, until such time as new framework agreements can be tendered in accordance with EU legislation, Leasehold Legislation and Contract Standing Orders, since the BMWU are not currently required to tender and enter into contracts for sub-contracted works, as a result of special measures within the Contract Standing Orders, which will expire once the BMWU join the Housing Directorate;

(5) That until framework agreements can be tendered, value for money be tested by Housing Repairs and the BMWU through:

(a) continuing to obtain quotes for individual jobs in excess of £1,000; and

(b) utilizing the existing schedule of rates used by the BMWU as a benchmark; and

(6) That an annual report be presented to the Cabinet setting out progress in respect of setting up contracts for the responsive repairs works and reporting expenditure with sub-contractors.

19. RESPONSE TO THE PITT REVIEW - INTERIM REPORT ON SUMMER FLOODING 2007

Decision:

(1) That, as part of a consultation exercise, responses to the recommendations and conclusions of the interim report by Sir Michael Pitt " Learning Lessons From The 2007 Floods" be made;

(2) That, as set out in the schedule attached to the report, the Council's suggested response be approved;

(3) That the Overview and Scrutiny Committee be invited to consider the implications for the Council arising from the final report of the Pitt Review, expected to be published in the summer of 2008; and

(4) That a further response to the additional interim conclusions published on 4 March 2008 entitled "Recovering from the Floods" be drafted by officers for approval by the Portfolio Holders for:

(a) Community Wellbeing; and

(b) Civil Engineering and Maintenance.

20. HOUSING REVENUE ACCOUNT - FIVE-YEAR FORECAST

Decision:

(1) That the Housing Revenue Account (HRA) Five Year Forecast for the period until 2012/13 be noted;

(2) That HRA balances be reduced to £3.9m by 31 March 2013, and maintained within the range of £3m to £4m;

(3) That the reduction of HRA balances be achieved by means of £300,000 additional Revenue Contributions to Capital Outlay (RCCO) each year, and that these additional contributions be included in the next Capital Programme review; and

(4) That the Housing Scrutiny Panel be requested to examine the resourcing requirements for accelerating the Off Street Parking programme on Council Housing Estates, and the issues surrounding enforcement against unauthorised parking.

21. EXTERNAL FUNDING POLICY

Decision:

(1) That, as previously distributed, the External Funding Strategy be adopted

(2) That approval be given to the associated financial arrangements including the links to the budget and strategic planning processes, as set out in the External Funding Toolkit;

(3) That the Council be recommended to approve the inclusion of external funding within the Finance, Performance Management and Corporate Support Services Portfolio; and

(4) That an annual report on external funding issues be produced for the consideration of the Cabinet.

22. FEASIBILITY OF SPORTS HALL PROVISION AND WALTHAM ABBEY SWIMMING POOL

Decision:

That the Overview and Scrutiny Committee be requested to extend the Terms of Reference for the Leisure Task and Finish Panel in order to:

- (a) assess the feasibility of providing a new Sports Hall at Waltham Abbey Swimming Pool; and
- (b) evaluate the service and financial implications as opposed to entering into longer term Dual Use Management arrangements at Waltham Abbey Sports Centre.

23. EXCLUSION OF PUBLIC AND PRESS

Decision:

That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Info Paragraph No</u>
5a	Industrial Development Land Sale – Merlin Way, North Weald	3
24	Employer’s Liability Claim – Asbestos	1

24. INDUSTRIAL DEVELOPMENT LAND SALE - MERLIN WAY, NORTH WEALD

Decision:

(1) That, due to the limited interest in purchasing this site and the level of the offers received, the industrial development site, comprising an area of 0.94 acre/0.38 hectare, at Merlin Way, North Weald be retained and the prospective purchasers advised accordingly; and

(2) That, in consultation with the Finance, Performance Management & Corporate Support Services Portfolio Holder, the Director of Corporate Support Services be authorised to re-offer the site on the open market at an appropriate future time and to report the outcome of the marketing exercise to the Cabinet for consideration.

25. EMPLOYER'S LIABILITY CLAIM - ASBESTOS

Decision:

- (1) That the current position in respect of this claim be noted; and
- (2) That the appointment of an engineering consultancy to provide additional evidence for the Council’s defence be agreed.

