

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 1 September 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 9.40 pm

Members Present: Mrs D Collins (Chairman), C Whitbread (Vice-Chairman), R Bassett, M Cohen, Mrs A Grigg, Mrs H Harding, Mrs M Sartin, D Stallan and Ms S Stavrou

Other Councillors: K Angold-Stephens, Mrs R Brookes, R Frankel, P Gode, D Jacobs, Mrs C Pond, Mrs P Smith, J M Whitehouse and D Wixley

Apologies:

Officers Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), J Gilbert (Director of Environment and Street Scene), R Palmer (Director of Finance and ICT), J Preston (Director of Planning and Economic Development), L Swan (Assistant Director Private Sector & Resources), R Wilson (Assistant Director Operations (Housing)), I White (Forward Planning Manager), T Carne (Public Relations and Marketing Officer), G J Woodhall (Democratic Services Officer) and M Jenkins (Democratic Services Assistant)

34. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

35. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Officer Code of Conduct, the Deputy Chief Executive declared a personal interest in agenda item 8a, Free Swimming for the Over-60s and Under-16s, as his son was employed by Sports Leisure Management Limited. The Deputy Chief Executive had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Member Code of Conduct, Councillor D Stallan declared a personal interest in agenda item 29, Car and Cycle Allowance Policy, by virtue of the nature of his employment. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

36. MINUTES

RESOLVED:

That the minutes of the meeting held on 14 July 2008 be taken as read and signed by the Chairman as a correct record.

37. REPORTS OF PORTFOLIO HOLDERS**(a) Environment**

The Cabinet were informed that the Audit Commission had published a report regarding its inspection of the Council's Environment Service, which had taken place in April 2008. The report had concentrated upon Waste Management and Street Cleansing but had also included wider environmental issues, and made reference to the decision made in 2005 and the subsequent demise of the Council's Waste Management Contractor. The Service had been assessed as 'Fair with uncertain prospects', and the report had contained three recommendations for improvement to be implemented before April 2009, although it was recognised that the Council had a clear commitment to improve the service. A full report would be forthcoming to the Cabinet in October 2008.

The Cabinet were also advised that a visit to the London IDC Waste Facility had been arranged for 22 October 2008, which was open to all interested Councillors wishing to visit the facility.

38. PUBLIC QUESTIONS

There had been no questions received from members of the public for the Cabinet to consider.

39. OVERVIEW AND SCRUTINY

The Vice-Chairman of the Overview and Scrutiny Committee reported that the call-in on the Portfolio Holder decision, regarding Council Owned sites to be submitted for consideration as future residential land in response to the Council's "Call for Sites", had been endorsed and referred back to the Portfolio Holder for reconsideration.

Two reports on elections from the Constitution and Members Services Standing Panel had also been considered. The first report concerned the change of dates to combine the County Council elections and the European Parliament elections on 4 June 2009 and was endorsed by the Committee. The second report duly noted the review of the local elections held on 1 May 2008.

The Annual Review of Overview and Scrutiny would be undertaken in January 2009, and would consider the preparation that should be undertaken prior to meetings of the Overview and Scrutiny Committee.

The Leader of the Council expressed regret if the impression had been given that only sites within Loughton had been considered as part of the Council's Call for Sites initiative. The Portfolio Holder Decision should have been withheld until all possible sites within the District had been evaluated and reported upon.

40. FREE SWIMMING FOR THE OVER-60S AND UNDER-16S

The Portfolio Holder for Leisure and Young People presented a report concerning the provision of Free Swimming for the over-60s and under-16s. The Cabinet were advised that in order to promote free swimming for those who were over the age of 60 or under the age of 16, the Government was intending to make funding available to the Council for the financial years 2009/10 and 2010/11. The ring fenced funding in respect of the over-60s had been set at £38,950 for the District, whilst the available funding in respect of the under-16s would only be available if the Council participated

in the initiative for the over-60s, with the amount being determined following the level of possible interest. The Council was required to notify the Department of Culture, Media and Sport of its intention to provide free swimming for the over-60s, and its interest in providing the same for the under-16s by 15 September 2008.

The Portfolio Holder reported that the financial consequences of these initiatives had been discussed with Sports Leisure Management Limited (SLM Ltd), who ran the three swimming pools within the District on the Council's behalf. It was felt that the level of grant on offer for the over-60s would cover the income foregone. However, there were concerns that the potential level of grant would not be adequate to meet the lost income in respect of the under-16s due to current participation levels. The Cabinet noted that the provision of free swimming to these age groups would assist the Council to meet its targets in respect of the national performance indicators concerning adult participation in sport, the reduction of obesity in children and healthy life expectancy.

The Director of Environment and Street Scene added that SLM Ltd had offered to take the risk in respect of free swimming for the over-60s if the full £38,950 grant was paid to them. However, the Government was insisting that the Council demonstrated how much of the grant had been spent on swimming, hence Officers had felt that a better approach would be for the Council to pay SLM Ltd when an audited cost of income foregone under the scheme had been identified. Whichever option was chosen, the Council would need to enter into a legal agreement with SLM Ltd for the administration of the scheme. It was felt that the Government had not considered the level of charges for swimming within the District, and had only performed a statistical analysis of the total number of eligible people within the District.

The Cabinet accepted that the position might change following negotiations with SLM Ltd, but felt that a risk adverse approach should be adopted by the Council for this scheme. The Cabinet also noted that the proposed Government funding would run for two years, and agreed that the continuation of the scheme should be reviewed at that time. It was also felt that the Council's interest in participating in the scheme for under-16s should be communicated to the Department of Culture, Media and Sport, subject to an assessment of the amount of funding available and subsequent financial risk to the Council.

Decision:

- (1) That the Department of Culture, Media and Sport's initiative to provide free swimming to those over the age of 60 be participated in by the Council;
- (2) That a risk adverse approach be adopted by the Council in respect of funding this initiative, with the acceptance that there could be a possible cost to the Council, following detailed negotiations with Sports & Leisure Management Ltd, over and above the allocated Government grant in the sum of £38,950;
- (3) That, following the successful conclusion of negotiations, a legal agreement be entered into with Sports & Leisure Management Limited for the administration of the scheme;
- (4) That the continuation of the scheme be reviewed in 2011 when the proposed Government funding expires; and
- (5) That, subject to an assessment of the grant available and financial risk to the Council, the Department of Culture, Media and Sport be informed of the Council's interest in providing free swimming to those under the age of 16.

Reasons for Decision:

To participate in the Government's scheme to encourage swimming amongst the over-60s and under-16s and to respond accordingly to the Government by the consultation deadline of 15 September 2008.

Other Options Considered and Rejected:

- (i) To reject participation in both initiatives; or
- (ii) To agree to participate in the scheme for the over-60s, but not the scheme for the under-16s without knowing the level of financial support available from the Government.

41. NORTH WEALD AIRFIELD STRATEGY CABINET COMMITTEE - 28 JULY 2008

The Planning and Economic Development Portfolio Holder presented the minutes from the meeting of the North Weald Airfield Strategy Cabinet Committee held on 28 July 2008. The items that had been considered included: the Future Options for North Weald Airfield; the Extension of Existing Leases and Licences at North Weald Airfield; and the Policy concerning Contact with Interested Parties or Developers in respect of North Weald Airfield. Other items that had been noted by the Cabinet Committee included: the Planning Context for North Weald Airfield; and the current Terms of Leases and Licences at North Weald Airfield. The Portfolio Holder proposed a small amendment to the first recommendation about the Future Options for the Airfield, which the Cabinet accepted.

Decision:North Weald Airfield – Future Options

- (1) That, in order to proceed with further strategic feasibility work, a scoping report and brief be developed to examine the intensification of aviation use with limited business or other uses including leisure as required to make it economically viable, and expressions of interest be sought from suitably qualified consultants to undertake the work; and
- (2) That, in order to cover the costs of undertaking any such study, a suitable District Development Fund supplementary estimate be recommended to the Council for approval;

North Weald Airfield – Extensions of Existing Leases and Licences

- (3) That, for those tenants with leases without security of tenure on renewal at North Weald Airfield which are largely due to terminate in 2010, new ten-year leases be offered with five years guaranteed and annual landlord break clauses only thereafter, and such a lease to ensure no future guaranteed tenure under the relevant Landlord and Tenants Act; and

North Weald Airfield – Contact with Interested Parties/Developers

- (4) That, with respect to contact with interested parties and developers, the Council's current policy be continued until such time as it may be amended to reflect changed circumstances.

Reasons for Decision:

The Cabinet were satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet were satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

42. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 12 AUGUST 2008

The Finance and Performance Management Portfolio Holder presented the minutes from the meeting of the Finance and Performance Management Cabinet Committee held on 12 August 2008. The items that had been considered included: the Value for Money Review that had been undertaken by the Use of Resources Working Party; and the draft self assessment submissions for Value for Money and Use of Resources 2007/08.

Decision:Value for Money Review – July 2008

- (1) That the Value for Money review undertaken by the Use of Resources Working Party be noted;
- (2) That the findings of the review be highlighted to the Audit Commission when they undertake an assessment of the Council's Value for Money as part of the Use of Resources assessment;
- (3) That the Audit Commission's attention be also drawn to:
 - (a) the Council's serious concerns about the accuracy and reliability of the data used in the Audit Commission's comparisons;
 - (b) the fact that not all local authorities had allocated their costs in full; and
 - (c) the review's recommendation that submitted cost data be audited by the Audit Commission in a similar fashion as submitted performance data is audited; and
- (4) That a detailed Value for Money Strategy be developed, focusing upon the following elements:
 - (a) seeking further efficiency gains;
 - (b) reducing service costs where practicable but acknowledging there is no imperative need to reduce overall expenditure on services; and
 - (c) re-investing savings, in a targeted fashion, to further improve performance.

Use of Resources Assessment 2007/08 – Self-Assessment Submissions and Value for Money Review

(5) That the draft self-assessment submission for the 2007/08 Use of Resources assessment be adopted;

(6) That the draft Value for Money self-assessment submission for the Use of Resources assessment for 2007/08 be adopted; and

(7) That, subsequent to their adoption by the Cabinet and prior to their submission to the Council's external auditors, the Chief Executive be authorised to amend the draft self-assessments to incorporate any additional details in relation to the Council's performance as necessary.

Reasons for Decision:

The Cabinet were satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet were satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

43. FORMATION OF A REPAIRS MANAGEMENT CONTRACT ADVISORY GROUP

The Housing Portfolio Holder presented a report regarding the formation of a Repairs Management Contract Advisory Group. The Portfolio Holder reminded the Cabinet that it had previously agreed to appoint a private repairs management company to administer the combined housing repairs and building maintenance functions in March 2008. It was intended for the Advisory Group to advise upon the proposed specification for the Repairs Management Contract and interview the short-listed companies before recommending an appointment to the Portfolio Holder. The Group would then meet at least quarterly to monitor the performance of the contractor and the repairs service generally. It was suggested that the Advisory Group should be the Housing and Finance & Performance Management Portfolio Holders, the Chairman and Vice-Chairman of the Housing Scrutiny Panel, the Director of Housing and Assistant Director Property, as well as two representatives of the Tenants & Leaseholders Federation. The Housing Portfolio Holder would chair the Group.

Decision:

(1) That a Repairs Management Contract Advisory Group be formed, prior to the introduction of the proposed Housing Repairs Management Contract, for the duration of the proposed contract;

(2) That the Terms of Reference for the Advisory Group be:

(a) to provide advice and feedback to officers and the Housing Portfolio Holder on the proposed specification for the Repairs Management Contract;

(b) to interview short-listed companies and recommend to the Housing Portfolio Holder which company should be appointed; and

(c) to meet periodically (at least quarterly) to monitor the performance of the repairs management contractor and the repairs service generally; and

- (3) That the Advisory Group be comprised of:
- (a) the Housing Portfolio Holder (as Chairman);
 - (b) the Finance & Performance Management Portfolio Holder;
 - (c) the Chairman of the Housing Scrutiny Panel;
 - (d) the Vice-Chairman of the Housing Scrutiny Panel;
 - (e) the Director of Housing;
 - (f) the Assistant Director Property from the Housing Directorate; and
 - (g) two representatives of the Tenants & Leaseholders Federation.

Reasons for Decision:

To increase the level of involvement of Council members and tenant or leaseholder representatives. To form a group with a variety of skills and interests to make recommendations to the Housing Portfolio Holder and to monitor the appointed company.

Other Options Considered and Rejected:

- (i) Not to form an Advisory Group;
- (ii) form a Cabinet Committee with delegated authorities; or
- (iii) form an Advisory Group with a different membership and/or for different reasons.

44. DISABLED FACILITIES GRANTS - APPLICATION OF ADDITIONAL CONDITIONS

The Housing Portfolio Holder presented a report about the application of additional conditions to Disabled Facilities Grants (DFGs). The Portfolio Holder reported that the Government had recently introduced legislation to allow grant money to be reclaimed if a property was sold after the work had been carried out. The legislation permitted Councils to recover grants of more than £5,000, subject to a maximum of £10,000. It had been proposed that conditions be applied to DFGs in excess of £12,000, allowing the full amount of the grant in excess of £12,000, up to a maximum of £10,000 to be recovered if the property was sold during the five-year period immediately following completion of the work, and half of this amount if it was sold during the subsequent five year period. This would allow for the recycling of capital funds whilst not disadvantaging those who had performed relatively low cost adaptations to their homes or who had remained in their homes for a lengthy period after the work had been completed.

The Portfolio Holder added that it was intended to review the proposed scheme a year after its implementation in order to determine if the additional conditions were acting as a disincentive to potential applicants. The onus would also be on the grant recipients to persuade the Council that they would suffer financial hardship if they were required to repay part or all of the grant that they had received.

Decision:

- (1) That recipients of Disabled Facilities Grants (DFGs) in excess of £12,000, be required to repay a proportion of the grant on the subsequent sale of the property, provided they:
 - (a) would not suffer financial hardship if they were required to make the repayment;
 - (b) were not selling the property to take up employment or to change the location of their employment;
 - (c) were not selling the property for reasons associated with their health or well-being or that of a disabled occupant of the premises; or
 - (d) were not selling the property so that they can move to provide care for or have care provided for them by another person;
- (2) That the Director of Housing be given delegated authority to determine whether any of the conditions in recommendations (1a) to (1d) were met;
- (3) That the amount repaid be:
 - (a) the full cost of the work in excess of £12,000 (subject to a maximum of £10,000) if the property is sold within the first five years following the date of completion of the work; or
 - (b) 50% of this amount if the property is sold between five and ten years following the date of completion of the work;
- (4) That, for all DFGs in excess of £12,000, a charge be placed on the Local Land Charges Register;
- (5) That these conditions be imposed for all DFGs for which a formal application was received from 1 January 2009 inclusive; and
- (6) That the situation be reviewed twelve months following its implementation to assess whether or not these conditions had been a disincentive to applicants for DFGs.

Reasons for Decision:

To allow for the potential recycling of capital funds.

Other Options Considered and Rejected:

To recover the maximum amount on all grants over £5,000 subject to the conditions in recommendation (1) above, however it was felt that this might act as a disincentive to some potential DFG applicants.

To continue with existing arrangements, but this would not provide an opportunity to recoup the capital funding.

45. STANSTED AIRPORT GENERATION 2 PROPOSALS - SECOND RUNWAY & OTHER RELATED INFRASTRUCTURE

The Portfolio Holder for Planning and Economic Development presented a report about the Generation 2 proposals for Stansted Airport, including a second runway and other related infrastructure.

The Cabinet were informed that the British Airports Authority (BAA) had submitted 38 planning applications to Uttlesford Council in March 2008 for a second runway at Stansted Airport with associated buildings and other facilities, highway works, the change of use of agricultural land to use for nature conservation, common land and village green, and the demolition and reconstruction of numerous listed buildings. The applications had been supported by a number of statements, some of which were extremely lengthy and detailed (e.g. the Environmental Statement alone comprised 17 volumes, some of which were over 400 pages long). Uttlesford Council had extended the original consultation deadline from the end of June to the end of September to allow extra time for consideration of this material. On 21 July, the Government had called the applications in so that they would be considered at a Public Inquiry. This was expected to start in 2009 and take approximately a year to hear all the evidence. A final decision was not expected before 2011. The Cabinet's response would be sent to Uttlesford Council in order to meet the revised 26 September 2008 deadline, so that all of the Council's comments would be reported to the Public Inquiry.

The Portfolio Holder stated that from the District's perspective, the main issues for consideration were:

- (i) impact on climate change;
- (ii) environmental safeguards to deal with noise and urbanisation;
- (iii) timely provision of infrastructure including public transport, rail links, roads, education, health and a range of housing, including affordable housing;
- (iv) "Surface access" strategy which reflected and responded adequately to the aim of the East of England Plan to achieve a major modal shift away from the use of the private car; and
- (v) achievement of the claimed benefits for the West Essex/East Herts area – i.e. job growth and regeneration of Harlow.

The Portfolio Holder added that, despite the huge bulk of supporting material for the applications, off-airport issues had been given relatively little attention. This was of concern particularly for a scheme which had much wider implications and consequences, and appeared contrary to the Government's advice to pursue "joined-up" or holistic planning. The sheer volume of material had almost been self-defeating and it had raised questions about the ability of small-staffed councils to deal with consultations of this type. In this case, much of the background reading and analysis had been carried out by an external planning consultant.

The Portfolio Holder stated that the conclusion of officers from a District perspective had been that the proposals would seriously damage the quality of life enjoyed by many local residents, as well as adversely affect the predominantly rural and small settlement character of much of the District. It was also felt that the recommendations of the Sustainable Development Commission and the Institute for Public Policy Research, which called for an independent review of the Air Transport White Paper (ATWP) 2003, should be supported. The Cabinet fully supported the objections proposed by the officers.

Decision:

(1) That the planning applications submitted by the British Airports Authority to Uttlesford District Council relating to a second runway at Stansted Airport be objected to by this Council on the following grounds:

(a) urbanisation pressures, traffic generation and air noise would, in the long term, seriously damage the quality of life and the predominantly rural/small town character of the surrounding area, including the northern parts of this District;

(b) insufficient arrangements had been made for infrastructure and its timely provision; and

(c) the project was inconsistent with the Government's carbon reduction targets; and

(2) That the recommendations of the Sustainable Development Commission and the Institute for Public Policy Research calling for an independent review of the Air Transport White Paper (ATWP) 2003 be supported.

Reasons for Decision:

The Council had always opposed a second runway at Stansted because of the long-term adverse effects on the character of the District and on the quality of life of affected residents. These issues included aircraft noise, traffic generation, urbanisation pressures and infrastructure provision. Nothing in the applications or the supporting documentation had alleviated these concerns.

Climate change was a different type of problem, requiring collective international action on an unprecedented scale. It was felt that the Government should heed the concerns of the Sustainable Development Commission and Institute for Public Policy Research about contradictory data and evidence, and any decision on expansion of Stansted and Heathrow Airports should be postponed until after the 2003 Air Transport White Paper had been reviewed by a Special Commission.

Other Options Considered and Rejected:

To not respond to the consultation, however this would lose the opportunity to press the Council's case for greater consideration of the adverse effects of the development on the locality, and would be inconsistent with the Cabinet's recommendations of 25 November 2002 on "The Future Development of Air Transport in the South-East".

46. LOUGHTON LEISURE CENTRE MAINTENANCE WORK

The Portfolio Holder for Leisure & Young People presented a report regarding the funding of remedial works at Loughton Leisure Centre.

Loughton Leisure Centre was one of four leisure centres within the District whose operation and management had been contracted out to Sports Leisure Management Limited (SLM). As part of the contract, SLM were responsible for the maintenance of the equipment such as that providing heating and hot water. However, a number of difficulties had been experienced with the heating of hot water at Loughton Leisure Centre since it first opened in 2003. A number of different solutions had been explored but the difficulties had persisted. In 2008, the Council commissioned an independent inspection of the hot water system from Silcock Dawson and Partners.

They had determined that the faults with the system most probably arose from the original design of the Centre, and that the responsibility for funding the remedy rested with the Council, and not SLM.

The Cabinet noted that the Council's Legal Officers had been collating information to seek Counsel's advice on the probability of pursuing the original architectural practice for the costs of the remedial works. The effective operation of Loughton Leisure Centre was key to the provision of high quality leisure services in the area, and this was reflected in the Council's Best Value Performance Plan through the provision of facilities which would encourage a healthier life style.

Decision:

That a Capital Estimate from the General Contingency fund in the sum of £46,000 be allocated for the undertaking of works at the Loughton Leisure Centre.

Reasons for Decision:

The independent report had indicated that the problems stemmed from the original design and therefore it was the duty of the Council to undertake the work. There had been many complaints regarding the temperature of the water delivered at the showers. Furthermore, due to temperature issues in the plant room itself there had been failures of other equipment which had health and safety implications or had prevented the use of a number of the water features available at the pool.

Other Options Considered and Rejected:

The only alternative option was to do nothing at this time, however this would result in further complaints from the public, possible health and safety problems and a lessening of service to the public. There was also a risk of claims from SLM for loss of income and increased maintenance costs.

47. SPRINGFIELDS IMPROVEMENT SCHEME - Q2 PROGRESS REPORT 2008/09

The Housing Portfolio Holder presented a progress report regarding the Springfields Improvement Scheme. The total budget agreed by the Cabinet had been £4.124m; the current anticipated outturn was estimated to be £3.96m, a saving of £164,000. Whilst the main contractor was currently slightly behind schedule due to problems associated with the thresholds to the doors and windows on the upper private balconies, foundations, drainage, the specification of the garage doors, and increased concrete repairs to the structure, it was anticipated that the programme would still be completed within 65 weeks.

Decision:

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

Reasons for Decision:

To comply with Contract Standing Order C31, which required progress reports for major projects with a value in excess of £1million, and the decision of the Cabinet at its meeting on 8 October 2007.

Other Options Considered and Rejected:

There were no other options for consideration.

48. DIGITAL UPGRADING OF COMMUNAL TV AERIAL DISTRIBUTION SYSTEMS - ACCEPTANCE OF TENDERS

The Housing Portfolio Holder presented a report concerning the acceptance of tenders for the digital upgrading of the Communal Television Aerial Distribution Systems associated with the Roundhills, Parklands, Ninefields and Springfield estates in Waltham Abbey.

The Portfolio Holder stated that the Digital Upgrading of Communal TV Aerial Distribution Systems programme had been tendered in accordance with Contract Standing Orders. However, the tender had been based on a fully Integrated Reception System (IRS) rather than a "Freeview" only system, which had been previously agreed by the Cabinet at its meeting in April 2005. Whilst this represented a departure from the previous Cabinet decision, the service provided through this system would be superior and the cost of installing such a system had substantially reduced since the pilot study in 2000, due to the subsequent advances in technology. The installation of Cable Television had been excluded on the basis of cost and the potential disruption caused by the installation of the cables.

The Portfolio Holder added that tenders had been sought from five contractors who were members of the Confederation of Aerial Industries to upgrade the communal systems. The contract was initially for a period of one year, renewable annually up to a maximum of three years subject to performance and quality criteria. Following analysis of the tenders received, it had been recommended to award the contract to SCC International Ltd (Switchsure) as the lowest tender received in the sum of £111,072.50 for the first year of a three-year contract, estimated to cost £236,000 in total. The contract had been designated as a serial contract, and the annual increase in the schedule of rates would be in accordance with the building cost indices maintained by the Department of Business, Enterprise and Regulatory Reform.

Decision:

(1) That the tender submitted by SCC International Ltd (Switchsure) for the Digital Upgrading of Communal TV Aerial Distribution Systems be accepted as the lowest received in the corrected sum of £111,072.50 for the first-year of a three-year contract, estimated at £236,000 in total;

(2) That the contract be designated as a serial contract under Contract Standing Order C11 to facilitate the annual increase in the schedule of rates in accordance with the building cost indices maintained by the Department of Business, Enterprise and Regulatory Reform; and

(3) That a fully Integrated Reception System (IRS), allowing residents access to all digital and satellite stations (subject to individual subscriptions where applicable) be installed rather than a 'Freeview' only system as previously agreed by the Cabinet in April 2005.

Reasons for Decision:

The existing analogue communal aerial distribution systems associated with the Roundhills, Parklands, Ninefields and Springfields estates were at the end of their design life. The system failure rate was now significant and system rectification had been hampered by the inability to procure replacement equipment manufactured in the 1960's. Delaying the implementation of the digital upgrade beyond 2008/09 could

result in a catastrophic failure of the existing analogue distribution system, resulting in a significant number of tenants and leaseholders being unable to view television. The District was situated within the last region to be switched from analogue to digital broadcasting in 2012.

Other Options Considered and Rejected:

(i) To re-tender the contract on an annual basis. However, this would be time consuming and an inefficient method of procurement, which could also lead to inconsistency in the product and quality, and would not guarantee more competitive tenders.

(ii) To undertake the Digital Upgrading of Communal TV Aerial Distribution Systems programme on an ad-hoc basis by raising individual orders for the work. However, this would not generate the cost savings associated with economies of scale and would breach Contract Standing Order C12.

(iii) To re-tender based on a "Freeview" system only. However, this would not provide as good a service, and may result in a further future upgrade to allow satellite TV.

49. ENERGY PERFORMANCE CERTIFICATES - SOCIAL RENTED DWELLINGS

The Housing Portfolio Holder presented a report about Energy Performance Certificates for Social Rented Dwellings. The Government had recently introduced legislation that required Energy Performance Certificates (EPC) to be issued for all buildings in order to improve energy efficiency. This was being introduced in phases, starting with residential properties as part of the Home Information Packs, which was introduced in August 2007, and as of 1 October 2008 extending to all private and social rented homes, including Council dwellings. EPC's for commercial buildings would be introduced from April 2009. The Cabinet were advised that in order to meet this new requirement, it was felt that an additional Voids Officer post would be required, and that the existing Voids Officer posts should be re-evaluated under the Job Maintenance procedure in order to assist with these duties.

The Cabinet felt that this new post should be restricted to a fixed term of three years, with a review after twelve months to examine the amount of additional work involved in meeting this statutory duty. It was agreed that the possibility of developing an income stream for the Council by performing EPC's for local businesses should be investigated by Officers.

Decision:

(1) That the requirement to undertake Energy Performance Certificates for all void properties and Right To Buy applications, and Display Energy Certificates in all buildings where there is public access, as part of a Government initiative to improve energy efficiency be noted; and

(2) That, in order to meet this new requirement (for which no resources have been made available by the Government), one new Voids Officer post for a fixed three-year maximum term be created in the Housing Repairs Section at Grade 5 (Subject to Job Evaluation) to assist with these additional duties;

(3) That a review be undertaken after twelve months of the post being filled to ascertain the extent of the work involved to perform these additional duties and reported to the Cabinet; and

(4) That the existing Voids Officer posts be re-evaluated under the Job Maintenance procedure in order to assist with these additional duties.

Reasons for Decision:

Since this new legislation was mandatory, EPC's had to be produced for all new tenancies (i.e. when a property became void and was advertised under the Choice Based Lettings scheme) and Right To Buy applications. The amount of work involved in producing EPC's meant that a new FTE Voids Officer post needed to be created to meet the demand, for a fixed term of three years with a review after 12 months.

Other Options Considered and Rejected:

- (i) Not to undertake the EPC's.
- (ii) To outsource the work to external consultants.
- (iii) To undertake the EPC's in-house and outsource work currently undertaken by existing staff.

50. TREASURY MANAGEMENT - ANNUAL REPORT & PRUDENTIAL INDICATORS OUTTURN 2007/08

The Portfolio Holder for Finance and Performance Management presented a report on the Treasury Management Service, including the Actual Prudential Indicators Annual Report 2007/08. The annual Treasury report was a requirement of the Council's reporting procedures, and covered both the treasury activity and the actual Prudential Indicators for 2007/08. The report complied with the requirements of both the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council was required to comply with both Codes through regulations issued under the Local Government Act 2003.

The Portfolio Holder reported that during 2007/08 the Council had complied with its legislative and regulatory requirements. The actual Prudential Indicators for the year were as follows:

- (i) Actual Capital Expenditure £10.597m
- (ii) Capital Financing Requirement:
 - Non HRA £23.844m
 - HRA (£24.628m)
 - Total (£784,000)
- (iii) Financing Costs as a proportion of Net Revenue Stream:
 - Non HRA (9.27%)
 - HRA (9.57%)

The Portfolio Holder also confirmed that no borrowing had been undertaken during the year and that the Statutory borrowing limit, the Authorised Limit, had not been exceeded. At 31 March 2008, the Council's external debt was nil and its investments totalled £57.25m. The Council had proactively managed its treasury portfolio throughout the year with the support of its external advisers, Butlers, and had

achieved an average return of 5.84% on its investments, which had compared favourably with the average 7-day LIBID rate of 5.6%.

Decision:

- (1) That the 2007/08 outturn for Prudential Indicators be approved; and
- (2) That the Treasury Management Stewardship Report for 2007/08 be noted.

Reasons for Decision:

To comply with the requirements of the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council was required to comply with both codes in accordance with regulations issued under the Local Government Act 2003.

Other Options Considered and Rejected:

In order to comply with the regulations, there are few options for action, although further information about the CIPFA Codes or the Prudential Indicators could be requested.

51. REVIEW OF EPPING FOREST CARELINE

The Housing Portfolio Holder presented a report regarding the review undertaken of the Epping Forest Careline service. Following the completion of the Best Value Service Review of Housing Services in February 2004, the Member Service Review Panel had agreed that the Careline Service provided a good service and, after considering a number of options for its future, that it should be retained and reviewed again in 2007. The Review had initially been delayed whilst consideration was being given to the possible introduction of a Corporate Customer Contact Centre.

The Portfolio Holder stated that the review had considered three main options for the future delivery of the service:

- (i) retaining the existing service;
- (ii) externalising the service; or
- (iii) retaining and enhancing the service.

The Cabinet was reminded that the Careline service was funded mainly through Essex County Council's Supporting People Grant, who were not in favour of the service being externalised and felt that if the Careline Centre was retained and enhanced then it would provide a better service to residents. In addition, if the Council decided to externalise the Careline service now then, under the Supporting People contract, the Council would only be able to enter into a short-term contract with any external provider pending the outcome of their Essex-wide review of alarm centres. This would leave the Council's service vulnerable and subject to changing again in the future. Essex County Council were happy to continue with the same level of funding, which they believed was more than justified if the service was enhanced. If any savings were made as a result of any externalisation, then Essex County Council would reduce the Council's Supporting People Grant accordingly.

The Portfolio Holder added that as the number of alarm connections had increased, additional computer stations at the control centre had been installed, which had

resulted in office space being limited. If the service was retained then it would be necessary to extend the current accommodation into the adjacent empty house, which was originally built to accommodate the Scheme Manager. It was proposed to extend the Careline Centre into the ground floor of the adjacent house, whilst also converting the first floor to an additional older persons flat, which would be incorporated into the sheltered housing scheme. The cost of the Careline extension and flat conversion was estimated to be £110,000, which could be funded from the Miscellaneous Structures budget within the existing Housing Capital Programme. The new flat on the first floor of the adjacent house would bring additional income of £3,200 per annum to the Housing Revenue Account.

Thus, the Portfolio Holder had recommended retaining and enhancing the service, and expanding the existing premises to the Cabinet as this would enable the Council to provide an improved service to residents at the same cost. Additional expenditure to update the call answering equipment, which was 15 years old, would be reported at the next meeting of the Cabinet as part of the Capital Programme Review. The Housing Scrutiny Panel, Essex County Council's Supporting People Team, the Tenants and Leaseholders Association, Careline staff and UNISON had all been consulted and supported the recommendations.

Decision:

- (1) That, in accordance with option three in the report, the local provision of the Careline Service be continued by the Council;
- (2) That detailed consideration be given in the future to the following enhancements:
 - (a) exploring the potential to monitor alarms for other authorities and housing associations;
 - (b) extending the routine repairs reporting service for tenants from 5pm to 8pm on each working day;
 - (c) periodically monitoring existing Council-owned Closed Circuit Television (CCTV) systems through website access following the appointment of the new CCTV Coordinator and formulation of a Corporate CCTV Policy; and
 - (d) monitoring the whereabouts of the Council's lone workers on a 24-hour basis; and
- (3) That the Careline premises be extended into the ground floor of the vacant adjacent former Scheme Manager's accommodation and that the first floor be converted into a one-bedroom flat and incorporated into the Council's sheltered housing scheme at Parsonage Court, Loughton, funded from the Miscellaneous Structures budget within the existing Housing Capital Programme.

Reasons for Decision:

Continuing to provide the Careline 24-hour emergency alarm service to older and vulnerable people locally would enable the Council to make a number of service improvements at no extra cost, and would continue to provide valuable support to Scheme Managers. In addition, if the service was externalised, the Supporting People Team would only allow a short-term contract with any external provider, which would leave the Council vulnerable. Furthermore, Supporting People Funding would reduce by any savings made.

Other Options Considered and Rejected:

- (i) To externalise the Careline Service.
- (ii) To retain the existing Careline Service.
- (iii) To retain the existing service and not extend the premises.
- (iv) To retain an enhanced service and not extend the premises.

52. ADOPTION OF THE ESSEX JOINT MUNICIPAL WASTE STRATEGY

The Environment Portfolio Holder presented a report about the adoption of the Essex Joint Municipal Waste Management Strategy by the Council.

The Portfolio Holder advised the Cabinet that the Essex Joint Municipal Waste Management Strategy (JMWMS) had been developed by the Districts, Boroughs, Southend-on-Sea and Essex County Council as the Essex Waste Partnership. The JMWMS had been subject to an extensive consultation period earlier in the year (18 February to 5 May 2008) and had also been considered in detail by the Environmental and Planning Services Standing Scrutiny Panel at its meeting in April. The Panel essentially agreed with the strategy being put forwards, this being:

- (a) continued high levels of recycling, with an aspirational target of 60% by 2020;
- (b) mechanical and biological treatment of residual waste;
- (c) anaerobic digestion of separated organic wastes; and
- (d) possible use of solid recovered fuel (SRF) from the Mechanical & Biological Treatment (MBT) plant to provide energy.

The Portfolio Holder reported that the outcome of the public consultation exercise had been to broadly to accept the strategy as set out, and it had been formally adopted by the Southend-on-Sea and Essex County Councils at their recent meetings. The Director of Environment & Street Scene reassured the Cabinet that the process of burning SRF was sufficiently different to that of the incineration of untreated waste, and that the overall objective of the strategy was to avoid the widespread use of landfill sites to dispose of waste.

Decision:

That the Essex Joint Municipal Waste Management Strategy be recommended to the Council for adoption.

Reasons for Decision:

It was now necessary for the Council to consider formally adopting the strategy, which was a key component of the Waste Partnership's procurement strategy for the management of the County's waste over the next 25 years.

Other Options Considered and Rejected:

The only option was the rejection of the Strategy, which given the decision of the

Panel and the Council's response to the County Council, would signal a fundamental shift in the Council's policy position.

53. **BOBBINGWORTH TIP - PROGRESS REPORT**

The Environment Portfolio Holder presented a progress report upon the regeneration project at Bobbingworth Tip. This was a former landfill site, in the ownership of the Council, that accepted domestic waste from 1961 to 1972. The mixing of ground and rainwater with the waste within the site had resulted in the creation of 'leachate'. The spread of this leachate liquid from the site into the surrounding environment was exposing the Council to possible prosecution by the Environment Agency. Additionally, the volumes of leachate generated were greater than the consent under the licence between the Council and Thames Water Limited. Thus, the risks to the Council were considered unacceptable and the Cabinet had resolved to address the issue.

The Portfolio Holder reminded the Cabinet that, following a rigorous procurement process, Veolia Environmental Services (formerly Cleanaway) were selected as a partnering contractor for the remediation of the site with a Target Price type of contract. Site investigation and design had been completed in 2006 and construction works commenced in April 2007. The design solution consisted of the installation of underground drains to pump leachate to a treatment plant, interceptor drains for preventing groundwater from mixing with the waste, an underground grout wall to act as a barrier for the movement of water and leachate, and the importation of soil to make the surface safe and the site available to the public as an amenity site. All major infrastructure construction works had been completed by the end of summer 2007.

The Portfolio Holder reported that the importation of soil was delayed due to the exceptionally wet summer last year and although the weather had been suitable for soil importation this year, it had been difficult to procure suitable quality soil due to the slow down in the new build housing market. Two options had been put forward for consideration: restoring the site to a basic level, which would enable public access; or providing an enhanced level of security to prevent unauthorised use of the site and damage to the sensitive reed bed and other on-site equipment. The second option had been recommended to the Cabinet for approval as it was felt that the additional security would save the Council money in the longer term. Given the delays in the construction it was proposed that the outstanding report on the formation of the working group to oversee the management of the site be delayed until all the major works had been completed.

The Director of Environment & Street Scene advised the Cabinet that the extra funding had been requested for additional works which could not reasonably have been envisaged at the start of the project. The Cabinet agreed to the Portfolio Holder's request to provide the additional security at a cost of £112,000, with a corresponding capital supplementary estimate recommended to the Council for approval. However, the Cabinet expressed the hope that the remaining costs of the project would be contained within the approved funding and that no further requests for supplementary finance would be forthcoming.

Decision:

(1) That, in order to enable the completion of the scheme to the original enhanced level including additional security, a supplementary capital estimate in the sum of £112,000 be recommended to the Council for approval; and

(2) That, as required under an earlier Cabinet resolution, the submission of a report on the membership and scope of a working group for the on-going management of the site be deferred until the end of the construction phase of the project.

Reasons for Decision:

The slow down in the construction industry had meant a lack of suitable quality clean soil was available for the final phase of site restoration. Although some soil had continued to be imported it was insufficient and a further 600 lorries were required to finish the scheme. This would lead to a delay in the completion of the construction phase of the scheme and the additional funding would ensure that all works were completed within the current financial year. The chosen option would include additional security for the site which was considered to save the Council money in the long term. The formation of a key stakeholder working group would ensure that the site was properly managed in the future, once all construction works had been completed.

Other Options Considered and Rejected:

If additional funding was not made available then there would be insufficient top soil to complete the scheme. This would result in the site not being accessible to the general public, which would be contrary to the Cabinet's previous decision to create a public open space at the site.

54. GARDEN WASTE COLLECTION SERVICE - PROCUREMENT BUDGET

The Environment Portfolio Holder presented a report regarding the procurement budget for the Garden Waste Collection Service. The Cabinet had previously considered this issue at its meeting in June 2008 and was informed of the funding difficulties with the current garden waste collection service. Options were considered for controlling the potential overspend on sack provision and the Cabinet noted that there was a possibility of supplementary finance being required later in the municipal year to meet the costs of the Garden Waste collection service.

The Portfolio Holder reported that demand for the service had remained extremely high; the budget for sacks had been expended and the overspend was currently estimated to be £163,195. Given the fact that any significant changes to the service recommended by the Waste Management Partnership Board could not be implemented ahead of the next financial year, it was considered appropriate to appraise the Cabinet of the present spending profile and the possibility still of additional finance being required later in the year.

The Portfolio Holder added that the sacks were bio-degradable and could not be stored for too long. The Garden Waste Freighters currently in use were not equipped to handle wheeled bins but this option would be considered by the Waste Management Partnership Board as part of its review of the waste service as a whole. The Cabinet were informed that the newly appointed Recycling Officer would encourage residents to participate in home composting, an article on which would be in the next edition of the Forester. The Director of Environment & Street Scene stated that the Garden Waste sacks were procured through the Essex Procurement Hub in batches, and the cost of gate fees for dry recyclables had been accounted for in the calculations.

Decision:

(1) That the projected costs associated with the procurement of sacks for the garden waste collection service be noted; and

(2) That, subject to a further report, a supplementary estimate might be required later in the year.

Reasons for Decision:

To note the spending profile for the garden waste collection service and the possibility of supplementary finance be required later in the financial year.

Other Options Considered and Rejected:

To seek the supplementary estimate now, however given that recycling credit income might provide the additional resource anticipated and the likelihood of other as yet unidentified Continuing Service Budget underspends, this action was not recommended at this time.

55. THE BOROUGH LORRY PARK, HIGH ROAD, ONGAR - TERMINATION OF LEASE

The Portfolio Holder for Corporate Support & ICT Services presented a report regarding the termination of the lease granted by Essex County Council to the District Council for the Borough Lorry Park on the High Road in Ongar. The Portfolio Holder reported that due to declining usage of the Borough Lorry and Car Park, ongoing maintenance issues as well as the possible alternative use and development potential, it was considered appropriate for the Cabinet to review the continuation of the Council's lease of this site. It was concluded that there was no longer a sufficient operational requirement to justify its retention or expenditure on site improvement works. If the Council gave notice of its intention to terminate the lease then the County Council in partnership with Ongar Town Council could investigate options for the future use and development of the site.

The Cabinet were reassured to hear local ward members speak in support of the proposed action, which would enable the Town Council to negotiate with the County Council over the future of the site, even if the proposed action led to some overspill parking in the area.

Decision:

That the Director of Corporate Support Services be authorised to terminate the lease granted by Essex County Council to the District Council for the Borough Lorry Park, High Road, Ongar.

Reasons for Decision:

The proposed lease surrender would enable the landowner, Essex County Council, to pursue various ideas with the local residents and Ongar Town Council about the future of the site.

Other Options Considered and Rejected:

(i) To seek a more secure legal interest in the site, on terms to be negotiated, in order to exercise more control over its future; or

(ii) to justify expenditure on the scale required to improve the site.

56. CHURCH HILL CAR PARK, LOUGHTON - RESIDENTIAL DEVELOPMENT LAND SALE

The Portfolio Holder for Corporate Support & ICT Services presented a report concerning the possible sale of Council-owned land at Church Hill Car Park in Loughton for residential development. The Cabinet were reminded that it had previously agreed the former public car park at Church Hill, Loughton be declared surplus to requirements and made available for sale on the open market upon the grant of planning permission for residential development. Planning permission had been granted in February 2008 for residential development on the site with associated car parking. During the period that the site had been declared surplus to requirements and planning permission for residential development applied for, the residential development land market had suffered a significant downturn. As a consequence, it had been recommended that the Cabinet postpone the marketing exercise until an improvement in market conditions had occurred, following quarterly reviews by the Director of Corporate Support Services in conjunction with the Portfolio Holder.

The Portfolio Holder was asked whether the proposed course of action would benefit the provision of housing within the District and responded by stating that Registered Social Landlords were 'land banking' at the moment until the property market improved. The Portfolio Holder felt that selling the land under value would not benefit the residents of the District. The Cabinet were reminded that the former car park was originally closed due the frequent occurrence of anti-social behaviour at the site.

Decision:

(1) That, due to current conditions in the residential development land market, the marketing of the former car park at Church Hill, Loughton be postponed pending an improvement in market conditions; and

(2) That the Director of Corporate Support Services be authorised to review the position on a quarterly basis with the Corporate Support & ICT Services Portfolio Holder and to proceed with a marketing exercise when appropriate.

Reasons for Decision:

The proposed course of action would provide flexibility on the timing of a marketing exercise to coincide with an improvement in market conditions, the availability of development finance and purchasers' confidence.

Other Options Considered and Rejected:

To proceed with a marketing exercise in unsettled market conditions, however this would probably achieve less than the 'best consideration' possible from a sale of the site in more settled market conditions.

57. PARKMAP - PROCUREMENT OF SOFTWARE AND ASSOCIATED MAINTENANCE PACKAGE

The Portfolio Holder for Civil Engineering & Maintenance presented a report on the procurement of the 'ParkMap' software and associated maintenance package. The Portfolio Holder stated that the Council undertook parking enforcement throughout the District for its own off street car parks and on street parking restrictions through an Agency Agreement with Essex County Council. For the Parking Team and the

various officers dealing with telephone enquiries to be able to undertake their roles effectively, access was needed to information on restrictions throughout the District. The County Council used software known as 'ParkMap' to record the nature and geographical details of restrictions, which was then overlaid onto proprietary mapping software.

The Portfolio Holder reported that Council had originally held two licences for 'ParkMap' when it was managing the highway service under the original Highway Maintenance Agency, but since April 2005, when the Agency had reverted to the County Council, these had not been updated nor any system maintenance undertaken. With the increasing level of parking activity being undertaken through parking reviews, it was now felt to be essential that sufficient licences were in place to enable multiple access to the information, and that the system was updated and then fully maintained.

The Cabinet agreed the software procurement and felt that the on-going costs from the maintenance package should be met through the annual review of the parking tariffs.

Decision:

- (1) That the procurement of the updated 'ParkMap' software and maintenance package utilising savings arising from 2008/09 budgets be agreed; and
- (2) That the on-going costs from 2009/10 onwards be met through the annual review of parking tariffs.

Reasons for Decision:

In order to facilitate good customer service and ensure that enforcement was properly undertaken, it was essential for a range of officers to have access to an updated 'ParkMap' system. This would ensure that information could be speedily and accurately provided to enquirers without the need to refer them to the Parking Office or the County Council. This would also assist the Council in meeting the new requirements of National Indicator 14 (avoiding unnecessary customer contact).

Other Options Considered and Rejected:

To continue as present with restricted access to outdated software, or delay the purchase until 2009/10, however costs could rise through this delay and the Council would not be able to deal properly with enquiries, contrary to National Indicator 14.

58. LOUGHTON BROADWAY DEVELOPMENT & DESIGN BRIEF

The Portfolio Holder for Planning & Economic Development presented a report regarding the Loughton Broadway Development and Design Brief. Urban Practitioners had been commissioned to conduct a public consultation exercise on the proposed Development and Design Brief that had been drawn-up for The Broadway area. The consultation period ended on 18 July 2008. Urban Practitioners conducted an analysis of the responses received and formulated twelve recommended changes to the original report, by way of an addendum report. The twelve recommended changes were:

- (i) more information on the landmark building planned for the gateway site;
- (ii) outlining the process for seeking an alternative location for the petrol station;

- (iii) minimising the impact of parking for new development on existing residents;
- (iv) including further detailed design for the Vere Road proposals;
- (v) funding of streetscape enhancements through section 106 agreements;
- (vi) improving the links to Langston Road;
- (vii) local support for controlled parking zones;
- (viii) retaining the existing station parking;
- (ix) including more facilities for young people;
- (x) explaining the need for new housing in the area;
- (xi) highlighting that any new development around Vere Road or Burton Road would accommodate the servicing needs of the shops; and
- (xii) including further provision for cyclists.

The Cabinet welcomed the report on the consultation exercise and agreed all twelve recommendations from the addendum report. The Cabinet also authorised the Portfolio Holder for Planning and Economic Development to integrate the agreed amendments into the Brief and present it to the Council on 25 September 2008 for adoption as non-statutory planning guidance. Once agreed, the Brief would become a material consideration for the assessment of any future planning applications at the sites. It was highlighted that there would be further public consultation when the planning applications were received and considered.

Decision:

- (1) That the public consultation activities conducted in the period 23 June to 18 July 2008 and the outputs from this process be noted;
- (2) That the addendum report produced by Urban Practitioners be noted;
- (3) That, following the assimilation of the addendum report and analysis of the consultation responses, the twelve recommended changes to the Development and Design Brief suggested by Urban Practitioners be agreed; and
- (4) That the Planning and Economic Development Portfolio Holder be authorised to confirm the integration of the agreed changes into the Brief and to present the final Brief to the Council on 25 September 2008.

Reasons for Decision:

The recommended changes to the Brief in the addendum report were informed by feedback secured during the consultation process, and represented the views of local residents and businesses.

Other Options Considered and Rejected:

To disregard the changes recommended by Urban Practitioners and use the Brief in its current form. However this approach would be criticised for wasting resources and would impact upon stakeholder relations.

59. DEPOT FACILITIES & FLEET OPERATIONS

The Portfolio Holder for Corporate Support & ICT Services presented a report regarding the current position of the Council's Depot Facilities and Fleet Operations. The Cabinet were reminded that it had made an in principle decision to close the Fleet Operations section in January 2005, due to the declining number of fleet vehicles and corresponding increasing internal recharges. An Internal Audit report in December 2006 had also questioned the long-term financial viability of the section, despite increasing income from external Ministry of Transport (MOT) inspection work.

The Portfolio Holder stated that there was a clear need to review the future of all three of the Council's depots to ensure that the operational needs of the Council were met whilst also achieving best value if any assets were disposed of. Planning permission had already been obtained for the Langston Road site and negotiations had begun with Waltham Abbey Town Council over the future of the Town Mead Depot. The number of external MOT inspections performed by the Fleet Operations section had continued to increase significantly, which reduced the internal recharges for the maintenance of fleet vehicles. In addition, a tender exercise for the future maintenance of the fleet vehicles would have to be undertaken prior to the closure of Fleet Operations. As a result, Officers felt that there would be no benefit in closing Fleet Operations prior to the review of the Council's depots, and a further detailed report on the current financial situation of Fleet Operations should be submitted for the consideration of the Cabinet.

Decision:

(1) That, in accordance with the Corporate Objectives for 2008/09, the outcome of a strategic review of the Council's depot facilities be awaited before implementing the previous in principle decision to close Fleet Operations, subject to recommendation (2) below.

(2) That a detailed report on the current financial situation of Fleet Operations be submitted to Cabinet in advance of the report dealing with the strategic review of the depots.

Reasons for Decision:

To ensure that the Cabinet had fully appraised the strategic value of all three depot sites to enable it to make informed decisions as to their future, consistent with the corporate objectives the Council had set for 2008/09 in the Best Value Performance Plan and the Council's Asset Management Plan concerning the use of resources.

Other Options Considered and Rejected:

To consider each depot in isolation. However this would not necessarily lead to the best overall solution for the Council and therefore might not reflect best value or most effective use of resources.

60. OFF STREET PARKING PROGRAMME

The Housing Portfolio Holder presented a report about off street parking. Following the return of the Highways Agency to Essex County Council, the Housing Directorate

had taken over responsibility for the off street parking programme. This had meant that all the previously identified off street parking schemes had been reassessed in line with a new procedure, and all the sites had been ranked according to their new assessment score. A detailed feasibility study had also been carried out of the highest ranked schemes, and local residents consulted. The Cabinet was asked to note the outcome of the feasibility study and the consultation exercise, and to agree the schemes that were to be carried forward for detailed design and construction.

The Portfolio Holder also advised the Cabinet of the outcome of a review undertaken by the Housing Scrutiny Panel into vehicular crossovers, with a recommendation that the maximum amount of grass verge to be removed to construct such a crossover be increased from 6 metres to 12 metres. However, the Portfolio Holder also additionally proposed that for all vehicle crossovers in excess of 6 metres, a consultation exercise involving local residents and Ward Members be undertaken prior to approval and construction; this the Cabinet agreed. The Cabinet also agreed a Housing Scrutiny Panel proposal that a further £300,000 from the Housing Revenue Account capital programme from 2009/10 be made available to fund further off-street parking schemes, and that this be match funded from the General Fund as well, to counteract the trend for half of all properties on former Council estates to be in private ownership.

The Assistant Director Operations informed the Cabinet that there was an enforcement policy in place to deal with cars that parked on vehicle crossovers and that this policy would be applied regardless of the length of the crossover, or whether it was at a Council or Private property. The issues that were considered when assessing the off-street parking schemes were also listed for the benefit of the Cabinet. Members were in favour of the proposed consultation exercise for any vehicle crossover in excess of 6 metres, although it was highlighted that the implementation of parking schemes could reduce the need for lengthy crossovers.

Decision:

(1) That the following recommendations of the Housing Scrutiny Panel be agreed:

(a) that the maximum permitted amount of grass verge to be removed in order to construct a vehicular crossover to allow residents to park their vehicles in their front garden be increased from 6 metres to 12 metres; and

(b) that the additional £300,000 available in the Housing Revenue Account (HRA) Capital Programme from 2009/10 be made available to fund further off-street parking schemes and match funded from the General Fund;

(2) That, for any proposed crossover in excess of 6 metres, a consultation exercise involving local residents and Ward Members be undertaken prior to approval and construction;

(3) That, as listed in table 1 at Appendix 1 of the report, the results of the feasibility study for the following off-street parking schemes be noted:

(a) Chester Road, Loughton;

(b) Colebrook Gardens, Loughton;

(c) Harvey Gardens, Loughton;

- (d) Audley Gardens, Loughton;
 - (e) Hillcroft, Loughton; and
 - (f) School Lane, Abbess Roding;
- (4) That each of the off-street parking schemes listed above be progressed to the detailed design stage and tenders be sought in accordance with Contract Standing Orders, with the outcome of the tender exercise being reported to the Housing Portfolio Holder for approval at a future date; and
- (5) That, as set out in table 2 at Appendix 2 of the report, the current ranking for all other off-street parking schemes be noted.

Reasons for Decision:

With the growth of car ownership, residents were experiencing problems when parking their cars on estates within the District, with vehicles being forced onto the grass verges. An extension of the 6 metre rule would enable more residents to park their cars off the road and preserve existing grass verges. Confirmation of the funding available would enable more off street parking schemes to be progressed.

Other Options Considered and Rejected:

- (i) To re-sequence the off-street parking schemes based on different criteria;
- (ii) to not undertake off-street parking schemes where the cost per bay was over a certain agreed limit;
- (iii) to not undertake off-street parking schemes;
- (iv) to maintain the maximum length of vehicular crossovers at 6 metres, or to set an alternative maximum length other than 12 meters; or
- (v) to not allocate the additional £300,000 available in the Housing Revenue Account (HRA) Capital Programme from 2009/2010 to fund off-street parking schemes, with matched funding from the General Fund.

61. CAR AND CYCLE ALLOWANCE POLICY

The Portfolio Holder for Corporate Support & ICT Services presented a report regarding the adoption of a Car and Cycle Allowance Policy by the Council. Further to the Council's Equal Pay Audit in 2007 and the work being undertaken by the Car Park Working Group, a policy had been developed which had clearly set out when employees could claim allowances, what they could claim and how to claim. It was intended for managers to use the policy to ensure that any claims submitted by employees were valid. In addition, the Policy also defined those employees that were eligible to be designated essential users and to join the Car Leasing Scheme. The proposed policy had been considered and supported by the Joint Consultative Committee.

Decision:

That, as attached at Appendix 1 of the report and commended by the Joint Consultative Committee, the Car and Cycle Allowance Policy be adopted by the Council.

Reasons for Decision:

The policy would be used by Directors to ensure that the appropriate employees were designated as essential users and also by managers in making sure that any claims submitted by their employees were valid.

Other Options Considered and Rejected:

To not agree the Policy or substitute it with another approach.

62. CYCLE TO WORK POLICY

The Portfolio Holder for Corporate Support Services & ICT presented a report concerning the adoption of a Cycle to Work Scheme by the Council. The Government had introduced a Green Transport Plan initiative, which granted tax incentives for staff purchasing cycles. It was a salary sacrifice scheme whereby the cycles remained the property of the Council until the hire period finished (i.e. the pay back period, which was usually over 12 or 18 months). At the end of this period, employees would have the opportunity to buy the cycle at a 'fair market value'. The cycle should be used for 50% of the commute into work and could be used freely in the employee's own time. There were a number of companies that would administer the scheme for the Council, and it was intended to use a company whereby local businesses were used to provide the cycles. Both the Corporate Executive Forum and the Joint Consultative Committee had expressed their support for the scheme.

Decision:

That, as commended by the Joint Consultative Committee, the Cycle to Work Scheme be adopted by the Council.

Reasons for Decision:

The benefits of a Cycle Scheme could be provided to staff at no cost to the Council. It was hoped that the Scheme would reduce the demand for car parking spaces within the Council's staff car parks.

Other Options Considered and Rejected:

To not agree to the introduction of a Cycle to Work Scheme.

CHAIRMAN