



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 9 March 2009

Date of Publication:	17 March 2009
Call-In Expiry:	23 March 2009

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 9 March 2009, 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 the Council...”, or request the Chairman of the Council to waive the call-in, 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 the matters referred to in this decision sheet then please contact:

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Call-In Procedure

If you wish to call-in any of the eligible decisions taken at this meeting you should complete the call-in form and return it to Democratic Services 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:

3. MINUTES

Decision:

RESOLVED:

That the minutes of the following meetings held be taken as read and signed by the Chairman as a correct record:

- (a) 19 January 2009; and
- (b) 5 February 2009.

7. INTER AUTHORITY AGREEMENT WITH ESSEX COUNTY COUNCIL

Decision:

- (1) That, in principle, the Inter Authority Agreement be entered into with Essex County Council; and
- (2) That, subject to the final agreement not being materially different to the version considered at the meeting, the following Portfolio Holders be authorised to sign the final version of the Inter Authority Agreement on behalf of the Council:
 - (a) Environment; and
 - (b) Finance & Performance Management.

8. ANY OTHER BUSINESS

Decision:

Coordination of the National Concessionary Fares Scheme in Essex – Transfer to Essex County Council

- (1) That the progress made to date in negotiations with Essex County Council be noted;
- (2) That the transfer to Essex County Council of this authority's role as a Travel Concession Authority be agreed in principle; and
- (3) That, in consultation with the Director of Finance & ICT, the Portfolio Holder for Civil Engineering & Maintenance be authorised to agree the final Participation Agreement document.

North Weald Airfield – CSB Virement to Support Major Events

- (4) That, in accordance with the Council's Financial Regulations, a virement in the sum of £3,750 between the Corporate Support & ICT and Leisure & Young Persons Portfolios, from code 34160 (Public Relations) to RS 301 3370 (North Weald Airfield) be agreed for the current financial year 2008/09; and
- (5) That a permanent reallocation in the sum of £5,000 from the same codes be made for future financial years to support the hosting of major outdoor events at North Weald Airfield.

9. INJUNCTION COSTS - THE MEADOWS, WALTHAM ROAD, LONG GREEN, NAZEING

Decision:

That, as ordered by the High Court, payment of the defendant's costs in the sum of £7,250 in respect of the Council's claim for an interim injunction pursuant to section 187B of the Town & Country Planning Act 1990 to restrain an apprehended breach of planning control at The Meadows in Waltham

Road, Nazeing be retrospectively authorised.

10. SPRINGFIELDS IMPROVEMENT SCHEME - PROGRESS REPORT Q4 2008/09

Decision:

That, as set out in the report, the current progress of the Springfields Improvement Scheme in Waltham Abbey be noted, including an estimated overspend in the sum of £35,985 and an anticipated extension of the project completion date.

11. SHARED OWNERSHIP SCHEMES - APPROACH IN THE CURRENT MARKET

Decision:

(1) That, in view of the current economic climate, Housing Associations that were currently required to provide shared ownership properties within affordable housing developments - by either the Council's Shared Ownership Policy or Section 106 Agreements - be allowed to provide these properties either as social rented properties and/or through "Rent now – Buy later" Schemes, whereby applicants could rent newly-built properties at "intermediate rents", on the basis that they would be able to purchase equity tranches in the property at a later date, up to full ownership, subject to any conditions required by the Homes and Communities Agency;

(2) That, where the provision of shared ownership properties were required by virtue of existing Section 106 Agreements, the Director of Housing in consultation with the Director of Corporate Support Services be authorised to agree variations to Section 106 Agreements, in line with this approach;

(3) That this revised approach be reviewed every six months until the economic climate has improved to the point where mortgages for first time buyers were more easily obtainable; and

(4) That further tenders be invited from all the Council's Preferred Registered Social Landlord Partners for the sale and development of Leader Lodge, North Weald, on a similar basis as before, but for the provision of the properties through a "Rent now – Buy later" Scheme, instead of shared ownership.

12. EPPING FOREST DISTRICT LOCAL COMPACT

Decision:

That the adoption of the Essex Compact be supported.

13. REPLACEMENT VEHICLES AND TRUCK CONVERSIONS 2009/10 - BUILDING MAINTENANCE SECTION

Decision:

(1) That three new vehicles be purchased outright for the Building Maintenance Section through the Essex Procurement Hub as replacements for fleet numbers H434, H435 and H439 at a total cost of £32,776 plus approximately £2,700 for livery and other accessories;

(2) That two existing trucks, fleet numbers H487 and H488 each be converted from a heavier steel body to a lighter aluminium body, cage and platform tail lift for the purpose of operational efficiency at a total cost of £17,354; and

(3) That, due to the specialist nature of the vehicle conversion work, Contract Standing Order C3(2) be waived in respect of seeking at least 3 quotations for contract values between £15,001 and £25,000.

14. CONTINUATION OF THE HOME OWNERSHIP GRANTS SCHEME

Decision:

(1) That, following the success of the Pilot Scheme, additional funding for the Home Ownership Scheme be provided in 2009/10;

(2) That the Scheme be comprised of the following elements:

(a) the provision of up to five capital grants by the Council of £34,000 to existing Council secure tenants to purchase a property on the open market in England;

(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, with the exception of secure tenants living in sheltered accommodation;

(c) no limitations be made on the type, size or price of the property that applicants wish to purchase; and

(d) through the use of a legal charge, grant recipients 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 level as those that currently apply under the Right to Buy;

(3) That, in order to fund the continuation of the Scheme, additional provision of £170,000 be made within the Housing Capital Programme for 2009/10, during the next review of the Capital Programme in June 2009;

(4) That the details of the scheme, and the necessary legal agreements, be the same as for the Pilot Scheme;

(5) That priority be given to tenants of the following types of properties by the selection criteria used to prioritise the shortlist of applications (in ranked order):

(i) houses;

(ii) flats, maisonettes or other properties with at least two bedrooms; and

(iii) properties in higher demand areas;

(6) That the following conditions be applied to the Scheme:

(a) applicants must occupy their Council property as their only and principal home;

(b) applicants must have a minimum of £2,000 savings, in order to meet

some of the costs involved with moving home;

(c) applicants with arrears over £50 be excluded from the Scheme; and

(d) applicants must not be in receipt of any Housing Benefit at the time of application and grant provision;

(7) That the Director of Housing be authorised to select the recipients for the grants, in accordance with the above selection criteria and conditions and, if necessary, any other criteria considered appropriate;

(8) That, if the applicants for the two outstanding grants in respect of the original pilot scheme do not complete their purchases within a reasonable period of time, the grants be re-allocated to other applicants using the agreed selection criteria and conditions; and

(9) That the success of the Scheme's continuation be reviewed by the Housing Portfolio Holder after nine months operation, with the continuation of the scheme and its associated funding into 2010/11 considered by the Cabinet.

15. LOUGHTON BROADWAY TOWN CENTRE ENHANCEMENT SCHEME - UPDATE

Decision:

(1) That the progress with the implementation of the Loughton Broadway Town Centre Enhancement Scheme be noted;

(2) That the current budget allocation and associated contingency be maintained; and

(3) That the provision of a landmark amenity feature on the Broadway be deferred until such time as adequate funding is available from within the current project allocation.

16. HOME OWNERSHIP STAFFING RESOURCES

Decision:

(1) That an additional post for a Home Ownership Officer, Grade 4 Part Time (0.5 full time equivalent), in the Housing Directorate be agreed from April 2009;

(2) That the post be fully-funded by surpluses generated from leasehold contributions from service charges; and

(3) That the leasehold Management Fee be reduced by £9.00 to £43.00 and the Fees and Disbursement Charge be frozen at £64.00 per annum for the period 2009/10 to 2012/13, subject to ensuring that the leasehold account be kept in surplus.

17. BUILDING CONTROL FEES & CHARGES 2009/10

Decision:

(1) That the proposed 8% increase in fees and charges for 2009/10 suggested during the budgetary process be confirmed;

(2) That the Scheme of Charges, set out at Appendix 1 of the report, be adopted by the Council in pursuance of The Building (Local Authority Charges) Regulations 1998;

(3) That the Charges be introduced with effect from 6 April 2009; and

(4) That the Director of Planning and Economic Development be authorised to advertise the introduction of the new Scheme of Charges as required by the Charges Regulations.

18. ESSEX LOCALISM INITIATIVE - LOCAL HIGHWAYS PANEL

Decision:

(1) That a report be submitted to the Council recommending:

(a) that a draft constitution for the Local Highways Panel be based upon the principles set out in the Essex County Council's Localism Manual and approved;

(b) that the appointment of 11 District Council members be in accordance with the pro rata rules at the Annual Meeting of the Council; and

(c) that the quorum for the Panel be established as 50% of the voting membership;

(2) That the Local Councils' Liaison Committee be approached to secure the nomination of a representative from each of the Area Plans Sub-Committee areas to act as co-opted Parish Council members on the Panel (without voting rights);

(3) That initial comments be invited by the Civil Engineering & Maintenance Portfolio Holder on highway priorities from Parish Councils and Ward Members in respect of the first review;

(4) That arrangements be made for a training session on the new Localism procedure;

(5) That the estimated cost of £2,200 be contained within existing budgets either directly or, if required, through a virement in 2009/10; and

(6) That the Constitution and operation of the Local Highways Panel be reviewed after twelve months of operation.

19. GAS METERING - NINEFIELDS, WALTHAM ABBEY

Decision:

(1) That compensation be paid to secure tenants at Ninefields in Waltham Abbey for any sums in relation to gas used for cooking that they have paid for in their heating charges but not consumed between 1 January 2001 and 5 April 2009 (the last day of the current rent account year);

(2) That leaseholders be treated in the same way as secure tenants, in that a payment of compensation be made for any sums in relation to gas used for cooking that they have paid for but not consumed;

- (3) That compensation payments be based on average cooking consumptions of a typical small family, as advised by British Gas;
- (4) That a budget of £50,000 be vired from the contribution to the Housing Repairs Fund of £30,000 and Heating Expenses of £20,000 within the Housing Revenue Account to fund the compensation payments;
- (5) That a credit be applied in future to those tenants that cook by electricity in the same way a credit is applied to those that heat their hot water by electricity;
- (6) That compensation only be paid to current tenants and leaseholders, however, if a claim was received from a previous tenant then that claim would be considered based on evidence supplied by the claimant;
- (7) That the National Grid Gas be approached by the Director of Housing inviting them to remove the communal bulk gas meters and replace them with individual gas meters in each property, with any associated costs from the work met by the existing Housing Capital Programme;
- (8) That a clause which clarifies the basis of any charges for gas consumption be incorporated within all future leases attributed to any Right To Buy sales; and
- (9) That any compensation payable to tenants in rent arrears be set off against that debt.

20. SICKNESS ABSENCE

Decision:

- (1) That the report regarding sickness absence within the Council be noted;
- (2) That the actions taken by Officers in respect of sickness absence be noted;
- (3) That the Council's Managing Absence Policy be reviewed by the Finance and Performance Management Cabinet Committee and any resulting recommendations made to the Joint Consultative Committee; and
- (4) That a report on sickness absence within the Council be submitted to the Cabinet on an annual basis.

21. DEPARTMENT OF COMMUNITIES & LOCAL GOVERNMENT - CONSULTATION ON LOCAL AUTHORITY PUBLICITY

Decision:

That the proposed schedule of responses to the consultation document on the Local Government Code of Publicity from the Department of Communities & Local Government by the Constitution & Member Services Scrutiny Panel be agreed, subject to the substitution of the following response for question 12:

"The current prohibition in paragraph 37 of the Publicity Code regarding publicity advertisements relating to the recruitment of political assistants should not be amended."

22. HOUSING REVENUE ACCOUNT - FIVE YEAR FORECAST

Decision:

(1) That the Five Year Forecast for the Housing Revenue Account up to the year 2013/14 be noted;

(2) That the balance of the Housing Revenue Account be adjusted to be between £3.0m and £3.1m by 2014, and be maintained within the range of £3m to £4m; and

(3) That the balance of the Housing Revenue Account agreed above be achieved by means of a £1,350,000 transfer of funding between Revenue Contributions to Capital Outlay and the Major Repairs Reserve in 2011/12 and 2012/13, thereby increasing the Balance on the Housing Revenue Account and reducing the Balance on the Major Repairs Reserve.

