



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 20 April 2009

Date of Publication:	28 April 2009
Call-In Expiry:	5 May 2009

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 20 April 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:

That the minutes of the meeting held on 9 March 2009 be taken as read and signed by the Chairman as a correct record.

8. DRAFT HOUSING REVENUE ACCOUNT SUBSIDY DETERMINATION 2009/10

Decision:

(1) That Officers be authorised to respond to the consultation paper requesting:

(a) that authorities' Housing Revenue Accounts be compensated by the Government where rent increases had already been set below the 6.2% increase in the original 2009/10 Determination; and

(b) that authorities' General Funds be compensated by the Government for any additional costs of benefit administration;

(2) That if the Government ignores the above request then the Council's rent increase for 2009/10 be adjusted to achieve a 3.1% increase on guideline rents in the least disruptive manner possible; and

(3) That, in order to make other Councils aware, this Council's response be sent to the Local Government Association.

9. LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 15 APRIL 2009

Decision:

Regional Spatial Strategy Single Issue Review on Gypsy & Traveller Accommodation – Proposed Response

(1) That, following the findings of the Examination in Public panel earlier this year, the response of the Council to the Secretary of State's consultation on her response to the draft East of England Plan Single Issue Review on Gypsy & Traveller Accommodation be agreed with the following amendment:

"Epping Forest District Council welcomes the reduction in pitches within the District to 34, from the original 49, but still considers this to be too high and will press for further reductions; a provision of no more than 20 pitches within the District would be considered by the Council to be more reasonable on the grounds of deliverability and local need."

Calendar of Meetings for 2009/10

(2) That the following dates for meetings of the Cabinet Committee in 2009/10 be confirmed:

(a) Thursday 2 July 2009;

(b) Thursday 10 September 2009;

(c) Thursday 5 November 2009;

(d) Thursday 7 January 2010; and

(e) Thursday 11 March 2010.

10. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 16 MARCH 2009

Decision:

Risk Management – Updated Corporate Risk Register

(1) That a new risk relating to the Shortfall in Key Income Streams, risk 27, be added to the Corporate Risk Register and scored as A2 (very high likelihood, critical impact);

(2) That a new risk relating to Workforce Development Planning, risk 28, be added to the Corporate Risk Register and scored as C2 (significant likelihood, critical impact);

(3) That the current tolerance line on the risk matrix be considered satisfactory and not be amended; and

(4) That, incorporating the above agreed changes, the amended Corporate Risk Register be approved.

11. ANNUAL REPORT OF THE EXECUTIVE 2008/09

Decision:

(1) That the draft Annual Report of the Executive for 2008/09 be endorsed and form the basis for the final report to be submitted for approval to the Annual Meeting of Council on 21 May 2009; and

(2) That the Chief Executive be authorised to approve any amendments required to the Annual Report following consideration of the items at this meeting of the Cabinet.

12. GRANT AID POLICY ISSUES

Decision:

That approval be given to the revisions detailed in the report to the policy and procedures for aspects of the Grant Aid Scheme for voluntary and community organisations.

13. BOBBINGWORTH TIP - PROGRESS REPORT II

Decision:

(1) That the progress on the restoration and remediation of Bobbingworth former landfill site at Moreton be noted;

(2) That the anticipated cost of delay in completion of £30,000 being contained within the existing project contingency be noted; and

(3) That the submission of a report, as required by an earlier Cabinet resolution, on the membership and scope of a working group for the on-going management of the site be delayed until all works have been completed and the site fully restored.

14. FLOOD ALLEVIATION MAINTENANCE SCHEMES

Decision:

(1) That the Final Account in respect of the Contract for the repair, improvement and rehabilitation of those flood alleviation schemes for which the Council was responsible be noted;

(2) That, in relation to Flood Alleviation Schemes, the projected underspends of £149,000 on the District Development Fund (DDF) and £38,000 on the Capital Programme be noted;

(3) That, as a result of the projected underspends, the following re-allocations be agreed:

(a) the return of £100,000 from the District Development Fund allocation to the general fund;

(b) the retention of £49,000 from the District Development Fund allocation towards the repair and upgrade of those main river flood defence assets which were in the Council's ownership and for which the Environment Agency was the enforcement authority; and

(c) the retention of the Capital allocation of £38,000 for any future improvement and enhancement works to the Council's flood defence assets as might be identified; and

(4) That, in order to ensure the Council's flood defence assets were kept in a good state of repair, a programme of inspection be developed.

15. COLLECTION OF WASTE FROM SCHOOLS, RELIGIOUS ESTABLISHMENTS, CHARITABLE INSTITUTIONS AND BUSINESSES

Decision:

(1) That, in accordance with Government guidance, the collection of household waste from schools, religious establishments and charitable institutions be made available on request and at a charge;

(2) That, in accordance with the Household Waste Recycling Act 2003 and where the Council collects household waste as set out above, at least two recyclable materials be collected also;

(3) That a further report be submitted to the Cabinet on the charges to be levied for the collection of household waste from schools, religious establishments (commercial activities only) and charitable institutions;

(4) That the Council's responsibility for the collection of commercial waste upon request be discharged through its current service provider, Sita UK, or other local service providers where necessary; and

(5) That a further report be submitted to the Cabinet on the charges to be levied for the collection of commercial waste.

16. CLIMATE CHANGE STRATEGY

Decision:

- (1) That the Council's Climate Change Strategy be adopted; and
- (2) That the implementation of the Strategy be monitored by the Safer, Cleaner, Greener Scrutiny Panel.

17. ANALYSIS OF GYPSY & TRAVELLER OPTIONS CONSULTATION

Decision:

- (1) That, as attached at Appendix 1 of the report, the methodology to be used for analysing the responses to the options consultation on sites potentially suitable for Gypsies and Travellers be agreed;
- (2) That, as attached at Appendix 2 of the report, the addition of the simplified flow diagram to the website which outlines the process of analysis be agreed; and
- (3) That, when available, the publication of the Sustainability Appraisal prepared by the County Council for a public consultation period of six weeks be noted.

18. LOCAL DEVELOPMENT FRAMEWORK - PROGRESS & RESOURCES UPDATE

Decision:

- (1) That the progress of the preparation of the Gypsy & Traveller Development Plan Document be noted;
- (2) That the outcome of the meeting with the Government Office for the East of England (GO East) on 19 March 2009 to agree a joint work programme for delivering the Core Strategies for East Herts, Epping Forest and Harlow District Councils be noted;
- (3) That the update on Local Development Framework (LDF) expenditure be noted, and the need to amend the budget timetable following the meeting with GO-East be agreed; and
- (4) That, in order to progress the preparation of the Gypsy & Traveller Development Plan Document and the Core Strategy, the employment of the Council's External Consultant be terminated and a Senior Planning Officer be recruited on a fixed term contract of two years funded from the Housing & Planning Delivery Grant, via a secondment from within the Planning & Economic Development Directorate if possible.

19. DISABLED ADAPTATIONS TO COUNCIL PROPERTIES - ADDITIONAL FUNDING

Decision:

- (1) That, for disabled adaptations to Council properties, an additional one-off sum of £200,000 be allocated in 2009/10 and funded from the Major Repairs Reserve;

(2) That a supplementary capital estimate in the sum of £200,000 from the Major Repairs Reserve in 2009/10 be recommended to the Council for approval; and

(3) That a further report be submitted to the Cabinet after six months to review the progress made against the backlog of disabled adaptations.

20. REVISED WASTE MANAGEMENT SERVICE - PURCHASE OF VEHICLES & CONTAINERS

Decision:

(1) That the revised Waste Management service be commenced on 7 September 2009 and that the service be implemented across the whole District at the same time;

(2) That three procurement exercises be pursued for:

(a) wheeled bins;

(b) food waste containers; and

(c) refuse collection vehicles;

(3) That the procurement exercises be conducted by the Essex Procurement Hub using framework agreements to obtain quotes covering the cost and supply arrangements for this equipment;

(4) That Sita also be asked to provide the Council with the best quotes they can obtain for the equipment required, without the addition of any pecuniary interest (profit element) to benefit Sita;

(5) That, upon completion of the procurement exercises above and evaluation of the quotes obtained, the most economically advantageous solution for the Council be determined by the Environment Portfolio Holder in consultation with the Director of Environment & Street Scene and the Director of Finance & ICT; and

(6) That, dependant on the outcome of the evaluation exercise and if appropriate, exclusive rights be awarded to Sita to procure the specified goods on behalf of the Council (in accordance with section 7 of the European Commission Directive 93/36EEC) and that Sita be required to observe the principle of non-discrimination on grounds of nationality when awarding any contract.

21. REPLACEMENT OF GROUNDS MAINTENANCE VEHICLES

Decision:

(1) That six Ford Transit LWB Double Chassis Cabs 2.4 TDCI be purchased by the Council's Grounds Maintenance Section;

(2) That, to fund this purchase, a supplementary capital estimate in the sum of £154,000 be recommended to the Council for approval; and

(3) That the revenue estimate in the Continuing Services Budget be subsequently amended for the £17,500 of leasing costs currently included but no longer required.

22. 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>
22	Compensation Claim – TPO/EPF/30/90 At 6 Bracken Drive, Chigwell	5

23. COMPENSATION CLAIM - TPO/EPF/30/90 AT 6 BRACKEN DRIVE, CHIGWELL

Decision:

(1) That, in order to avoid unnecessary legal expense for both parties, an offer be made by the Council to the residents of 6 Bracken Drive under part 36 of the Civil Procedure Rules; and

(2) That any compensation agreed or counter claim if accepted be met from the Planning Appeals Contingency fund, which forms part of the District Development Fund.

