

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet

Date: 8 June 2009

Place: Council Chamber, Civic Offices,
High Street, Epping

Time: 7.00 - 8.35 pm

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

Other

Councillors: Mrs P Smith, Mrs R Brookes, R Morgan, Mrs A Grigg, Mrs A Haigh, J Markham, Mrs C Pond, B Rolfe, J M Whitehouse and D Wixley.

Apologies: -

Officers Present: P Haywood (Chief Executive), I Willett (Assistant to the Chief Executive), J Gilbert (Director of Environment and Street Scene), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), P Pledger (Assistant Head of Housing Services (Property and Resources)), M Tipping (Assistant Director of CSS - Facilities Management and Emergency Planning), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer) and G J Woodhall (Democratic Services Officer).

Also in attendance: J Plumb (CIPFA).

1. WEBCASTING INTRODUCTION

The Leader of Council 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.

2. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors J Markham and Mrs C Pond declared a personal interest in agenda item 10, Marketing Exercise – Church Hill Car Park, Loughton, by virtue of being the Ward Members. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

3. MINUTES

RESOLVED:

That the minutes of the meeting held on 20 April 2009 be taken as read and signed by the Chairman as a correct record.

4. REPORTS OF PORTFOLIO HOLDERS

(a) Legal & Estates

The Portfolio Holder updated the Cabinet on the recent resolution passed at Council regarding the consideration of rent deferrals for the tenants of the shops in Loughton

Broadway. The request by the Council to cover all businesses within the District had complicated the report and prevented it being ready for this meeting; a report was being prepared for consideration at the July meeting of the Cabinet. There were approximately 60 tenants in Loughton Broadway of which 20 were in arrears; six in particular were struggling. It was estimated that any rent deferrals would result in the Council forgoing £156,000 of income.

5. PUBLIC QUESTIONS

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

6. OVERVIEW AND SCRUTINY

The Chairman of Overview & Scrutiny reported to the Cabinet on the Committee's recent meeting held on 2 June 2009.

The Committee had noted the outcome of the recent Forester consultation and endorsed the proposals to continue with the current format and to continue discussions with the Local Strategic Partnership, who had been considering using the publication to provide information about their services. A report on the provision of a sports hall at the Waltham Abbey Swimming Pool had also been agreed. Both reports would be considered at the next Cabinet meeting in July.

A new Task & Finish Panel had been set up to consider the implications for the Council of the Pitt review on Flood Defences, and the two existing Task & Finish Panels had had their outstanding work transferred to Standing Panels.

The report on Concessionary Travel on London Underground had previously been considered by the Committee, who felt that this scheme should not be pursued at the current time due to the estimated cost involved and the current financial climate.

7. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

8. CONCESSIONARY TRAVEL ON LONDON UNDERGROUND

The Portfolio Holder for Performance Management presented a report concerning concessionary travel for residents of Epping Forest on London Underground.

The Portfolio Holder reported that with London Underground stations within its boundaries, holders of a Freedom Pass could travel free to and from Epping but residents of this District could not travel free into London. Many residents perceived this to be unfair, particularly if they were close to either an Underground station or the border with a London Borough. It would not be possible to extend the Freedom Pass Scheme to cover this District and any similar concession would be prohibitively expensive, with an estimated cost of £7million. However, an approach could be made to Transport for London to negotiate some form of concession. At the meeting of the Overview and Scrutiny Committee on 16 April the recommendation had been that no approach should be made to Transport for London to negotiate any additional travel concession for residents at this time, which the Cabinet was asked to support.

The Chairman of the Overview and Scrutiny Committee added that the issue had been fully discussed with a number of different options considered to reduce the cost

of any such scheme; however the cheapest option would still cost the Council £200 per pass. It was acknowledged that any such scheme would be popular with residents in the south of the District. It was highlighted that the Oyster Card scheme provided very cheap fares for journeys between zones 2 and 6, and it was felt that an article should be placed in a forthcoming Forester magazine to advertise their benefits to residents.

Decision:

That, as recommended by the Overview & Scrutiny Committee, no approach be made to Transport for London to seek to negotiate some form of travel concession on London Underground for residents.

Reasons for Decision:

The scheme had been fully considered by Overview and Scrutiny and it was felt to be prohibitively expensive.

Other Options Considered and Rejected:

To implement such a scheme, with or without any restrictions on zones, times and the residents that could apply for such a pass.

9. MARKETING EXERCISE - CHURCH HILL CAR PARK, LOUGHTON

The Portfolio Holder for Legal & Estates presented a report regarding the undertaking of a marketing exercise for Church Hill Car Park in Loughton.

The Portfolio Holder stated that there was currently a buoyant market for supermarket sites and the Council could dispose of the site on a long-term lease which had the potential to provide a good investment with a substantial income stream. Much needed affordable housing at least equivalent to the previous residential scheme would also be incorporated into the development. The provision of a very small supermarket would provide a useful local facility, which was currently lacking in the immediate area, and reinforce the valuable service of the petrol filling station. It was emphasised that the proposal was merely to undertake a marketing exercise and that no firm decision had been taken about the site's future. The Portfolio Holder added that any scheme should not impact upon the viability of the nearby petrol station nor compound any parking problems in the area.

A number of the ward members were opposed to the marketing exercise, on the basis that another supermarket would have a negative effect on other shops in the vicinity, including the Post Office in Lower Road. The Cabinet was urged to retain the land and sell it at a later date for social housing. It was also highlighted that if the land was considered surplus to requirements then, under the District Council & Local Council Charter within the Council's Constitution, it should be offered to Loughton Town Council. The Portfolio Holder expressed his disappointment at the lack of support for the marketing exercise from local members, who were urged to support the scheme by other members of the Cabinet. It was pointed out that covenants could be imposed upon the development to protect some of the other local shops, such as the Post Office.

Decision:

(1) That the Director of Corporate Support Services, in consultation with the Portfolio Holder for Legal & Estates, be authorised to re-offer the Church Hill Car

Park site in Loughton on the open market, either as a freehold sale or as a long lease agreement; and

(2) That the outcome of the marketing exercise be reported back to the Cabinet at a future meeting.

Reasons for Decision:

To ensure that the land asset was developed to its optimum potential to achieve best value from either a free hold sale or a long lease agreement.

Other Options Considered and Rejected:

To continue to hold the site until the residential market improves.

10. PARKING ENFORCEMENT ON HOUSING ESTATES

The Housing Portfolio Holder presented a report concerning parking enforcement on housing estates.

The Portfolio Holder reported that the Housing Scrutiny Panel had considered a report on the increase in complaints from the public about unauthorised parking on housing estates in July 2008. Residents were unhappy about vehicles being parked on grass verges causing damage to open green spaces. However, when enforcement action was taken by the Council, other residents complained about having nowhere to park, with cars being displaced into already heavily congested side streets. A draft policy on unauthorised parking was considered by the Panel at its meeting on 9 October 2008 for subsequent approval by the Cabinet, however both of the Area Housing Managers had concerns that the proposed policy might be difficult to enforce. However, prior to the Cabinet meeting in December 2008, the Housing Portfolio Holder decided that the report should be deferred and referred back to the Housing Scrutiny Panel with officers being asked to consult with other enforcement officers within the Council to seek their views on the policy.

The Portfolio Holder added that the Housing Scrutiny Panel at their meeting on 23 March 2009 had considered four options for future action: fully enforcing unauthorised parking; postponing enforcement in identified priority areas; continuing with the parking enforcement policy; or carrying out enforcement measures on an ad hoc basis. It was proposed that parking enforcement action (other than placing notices on vehicles or writing to residents) should be taken on an ad hoc basis following consultation with local residents and Ward Members, with the position being reviewed again in 2010/11.

The Cabinet was asked to consider a further justification for enforcement action whereby access for service vehicles was restricted. The Portfolio Holder warned that a tougher policy might be needed in the future and when queried about the progress of off-street parking schemes undertook to report back to members. The Assistant Director (Property) advised the Cabinet that the process for considering parking schemes had been restarted when the Highways Officers had moved back to the County Council and had currently reached the Feasibility Study stage.

Decision:

(1) That parking enforcement measures on housing estates be undertaken on an ad hoc basis where problems were particularly bad and following consultation with local residents and Ward Members;

(2) That the following additional circumstance be added to paragraph 3 of the Policy for taking enforcement action:

- *Where access for service vehicles are restricted; and*

(3) That the position be reviewed by the Housing Scrutiny Panel in 2010/11.

Reasons for Decision:

Undertaking parking enforcement action on grass verges on housing estates on an ad hoc basis where problems were particularly bad, would ensure that the correct areas were targeted. It would also prevent severe congestion in side streets which would almost certainly occur if enforcement action was taken in all areas.

Other Options Considered and Rejected:

To fully enforce unauthorised parking, installing shrubs or jockey rails on all grassed areas on housing estates throughout the District.

To postpone parking enforcement in identified priority areas, pending implementation of off-street parking schemes.

To continue with the Parking Enforcement Policy previously proposed by the Housing Scrutiny Panel.

11. LOCAL RECYCLING CENTRES

The Environment Portfolio Holder presented a report about the Local Recycling Centres. The Council managed a total of 46 recycling centres in the District, made up of 20 District Recycling Centres and 26 Local Recycling Centres. The District Recycling Centres were larger sites, commonly seen in shopping areas and offered a wide range of recycling facilities. Local Recycling Centres were smaller sites, commonly located in communal areas and provided for a more limited range of recyclable materials, predominantly glass, cans and paper. The District Recycling Centres had remained popular with users and were considered worthy of continued support, but needed approximately £3,000 of investment.

The Portfolio Holder advised the Cabinet that with the continued investment in the kerbside collection schemes, use of Local Recycling Centres had declined over recent years. Given the costs associated with the operation and maintenance of these schemes there was a strong argument for their withdrawal, which would not materially affect overall recycling performance but would result in a saving of £10,000 to the continuing services budget. The net saving of £7,000 could be returned to the general fund as a saving, but it was felt that it should be retained to fund a feasibility study into the possible provision of a kerbside textile collection service throughout the District.

There was some concern expressed over the lack of consultation with local ward members with regards to the decommissioning of the Local Recycling Centres, however the Portfolio Holder emphasised that their use had been in decline and that the District Recycling Centres would be retained. It was acknowledged that the current kerbside recycling arrangements did not cover the whole District, but it was the aim to collect from all dwellings within the District, including flats in due course. The Director of Environment & Street Scene provided some background information

about the clothing collections currently undertaken within the District by charities and other organisations.

Decision:

- (1) That, in view of their usage and popularity, the 20 District Recycling Centres be retained at a cost of £3,000 per annum for annual maintenance;
- (2) That, in view of their declining usage and the extensions to kerbside recycling services, the 26 Local Recycling Centres be decommissioned with a revenue saving of £10,000 per annum; and
- (3) That the net £7,000 Continuing Services Budget saving from the decommissioning of the Local Recycling Centres be retained for a feasibility study into providing a kerbside collection scheme for textiles throughout the District.

Reasons for Decision:

The Council now offered kerbside collection for all of the materials collected at 27 of the 30 Local Recycling Centres (glass, cans, paper and plastic); the remaining 3 offered textile collection which was currently not offered at the doorstep. The decline in tonnage collected at these centres appeared to confirm that residents preferred to use their kerbside collection service rather than take recyclables to a local recycling centre.

There would be a financial saving to the Council by discontinuing the Local Recycling Centres which could contribute towards the introduction of a new kerbside textile collection service, which would be an enhancement to the current kerbside collection services.

Other Options Considered and Rejected:

To retain the Local Recycling Centres, but this would require an additional one off sum of £15,000 to carry out repair and upgrade works and a further £3,000 per annum for ongoing maintenance.

12. EXTERNAL REVIEW OF THE ESTATES AND VALUATION SERVICE

The Portfolio Holder for Legal & Estates presented a report regarding the external review of the Council's Estates & Valuation service within the Corporate Support Services Directorate. This had been undertaken by the consulting arm of the Chartered Institute of Public Finance and Accountancy (CIPFA), and the brief was to consider various options, including retaining the service in house or outsourcing either in part or in total, and make recommendations on how the service should be provided in the future. The report had concluded that best value would be achieved by retaining the service in house, with two permanent staff appointed at Principal Valuer and Senior Valuer level to form the core of the team, augmented with at least two further Valuers and Surveyors plus a further resource to provide financial administration, and the agency appointments replaced with permanent contracts to further reduce costs.

The Assistant Director (Facilities Management & Emergency Planning) stated that the Principal Valuer post was currently being covered by an agency appointment, as was the part-time Valuer post. This latter post had been advertised twice without success and it was felt that it could possibly be filled by a graduate looking to gain experience with their first appointment. It was acknowledged that the value of the rent

renewals might decrease in the future but a substantial number of the current contracts would contain a rent review clause. The CIPFA consultant who had written the review reminded the Cabinet of the importance of the £4million of income per annum that the service currently provided the Council and that the breadth of the service provided by the section was greater than rent reviews and renewals. The estimates within the report had been based upon research undertaken by CIPFA with other Councils.

The Portfolio Holder for Legal & Estates proposed that the current position of the service and the recommendations made by the external review be noted, that a further report with proposals for the future of the service would be submitted to a future Cabinet meeting, but that the current agency members of the service be retained until the future of the service was known.

Decision:

- (1) That the current position of the Estates & Valuation Service be noted;
- (2) That the recommendations made by Chartered Institute of Public Finance & Accountancy as part of the external review of the Estates & Valuation Service be noted;
- (3) That a further report regarding proposals for the future of the Estates & Valuation Service be submitted to a subsequent meeting of the Cabinet for consideration; and
- (4) That the current agency staff members within the Estates & Valuation Service be retained until such time as the proposals for the future of the Service are implemented.

Reasons for Decision:

To further consider the future of the service following the recommendations of the external review in order to achieve best value and optimise efficiency in the management and development of the commercial portfolio, in accordance with the Council's strategy as contained in the Asset Management Plan.

Other Options Considered and Rejected:

To implement the recommendations of the external review or to outsource the service without further consideration of the options available to the Council.

13. EXCLUSION OF PUBLIC AND PRESS

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 Information Paragraph Number</u>
15	Springfields Improvement Scheme – Quarterly Progress Report	3

14. SPRINGFIELDS IMPROVEMENT SCHEME - QUARTERLY PROGRESS REPORT

The Housing Portfolio Holder presented a progress report on the Springfields Improvement Scheme.

The Portfolio Holder reported that since the last progress report in March 2009, the Council had received a formal request from the Principal Contractor for an extension of time amounting to 28 weeks, with a revised completion date of 14 August 2009. This had been due to the late instruction to replace the existing French doors and windows serving the top floor private balconies, since the discovery that driving rain was capable of seeping through them. This claim had been considered by the Council's Contract Administrator, who, taking into account the time for design, survey, manufacture and installation together with other associated follow on works, had granted an extension of 17 weeks. It was felt that a suitable supplementary estimate from the Major Repairs Reserve (MRR) should be recommended to the Council for approval, to cover both the immediate estimated cost overrun, plus a contingency for any unforeseen costs and the additional professional fees resulting from the claim for an extension of time. Officers were working closely with the Consultant Quantity Surveyors, Engineers and on-site Clerk of Works to monitor the progress of the works and extra costs so as to minimise any delays and cost overrun.

Decision:

(1) That, as set out in the report, the current progress of the Springfields Improvement Scheme be noted; and

(2) That a suitable supplementary estimate from the Major Repairs Reserve (MRR) be recommended to the Council for approval, for the immediate estimated cost overrun plus a contingency to cover any further unforeseen works costs and the cost of additional professional fees as a result of the claim for an extension of time.

Reasons for Decision:

Contract Standing Order C31 required presentation of progress reports for on going major projects that had in excess of £1million.

Other Options Considered and Rejected:

At this stage, there were no other options available other than to allow the Contractor to fulfil their duties in accordance with the Contract.

CHAIRMAN