



# Epping Forest District Council

## DECISIONS

<b>Committee:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>Monday, 16 November 2009</b>

<b>Date of Publication:</b>	<b>24 November 2009</b>
<b>Call-In Expiry:</b>	<b>30 November 2009</b>

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 16 November 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](http://www.eppingforestdc.gov.uk/local_democracy)

<b>Decision No:</b>
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### **3. MINUTES**

#### **Decision:**

That the minutes of the meeting held on 12 October 2009 be taken as read and signed by the Chairman as a correct record.

**8. LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 9 NOVEMBER 2009**

**Decision:**

EERA Consultation – 2031 Scenarios for Housing & Economic Development

(1) That, incorporating the comments of the Planning Services Scrutiny Panel and Overview and Scrutiny Committee, the consultation questions be responded to as follows:

(a) That a fifth scenario should be considered which deals with the realistic assessment of infrastructure provision in terms of the implications for deliverable housing and economic growth;

(b) That the information on Harlow's future growth was misleading. The consultation document should give far more detail about how the figures for the 4 scenarios were going to be split between Harlow, East Herts and this District. This authority also believed that the growth totals proposed in scenarios 3 and 4 were unrealistic and undeliverable in this District;

(c) That scenario 1 of the four in the consultation was preferred, but the fifth scenario (in (a) above) was likely to be the most realistic;

(d) That the regional impact assessment should include consideration of the Green Belt as this was a significant important issue within the District;

(e) That the vision and objectives of the Plan remained suitable;

(f) That Policies H3 (Provision for Gypsies & Travellers) and H4 (Provision for Travelling Show People) from the Single Issue Review should be included in the next review of the Plan as they had concentrated on provision only up to 2021; and

(g) That the evidence base and technical information presented be considered not satisfactory;

(2) That the invitation to become a signatory to the proposed Essex Local Authorities' Joint Response to the consultation be agreed, subject to the Council retaining the right to comment further if the draft Joint Response was substantially altered by the County Council; and

(3) That the final version of the Essex Local Authorities' Joint Response to the consultation be considered by the Local Development Framework Cabinet Committee at its next meeting on 7 January 2010; and

Essex County Council Consultation – “Minerals Development Document: Site Allocations – Issues & Options Paper”

(4) That, incorporating the comments of the Planning Services Scrutiny Panel, the “Minerals Development Document: Site Allocations – Issues & Options Paper” issued by Essex County Council be responded to by stating that the sites for mineral extraction identified at Shellow Cross in Willingale and Patch Park Farm in Abridge were considered unsuitable for sand and gravel extraction for the following reasons:

(a) impact on the Green Belt;

- (b) impact on the local landscape;
- (c) impact on the local road network;
- (d) potential risk of flooding at both sites; and
- (e) the existence of a high pressure gas main in close proximity to the Abridge site.

## **9. CONTINUED USE OF COUNSEL - MARK BEARD**

### **Decision:**

That Contract Standing Order C3 be waived in respect of Mark Beard of Counsel enabling the Director of Corporate Support Services to continue to instruct him on behalf of the Council in relation to matters in which he had current or previous involvement for the current financial year.

## **10. LIMES FARM HALL**

### **Decision:**

(1) That Option 2(b) be agreed as the preferred option for implementation of the potential development of Limes Farm Hall;

(2) That the seeking of external funding from partner organisations be continued to meet the majority of the capital costs for the redevelopment proposals;

(3) That Capital Funding in 2010/11 towards any shortfall on the development work be agreed in principle by means of a reallocation from the Customer Services Transformation Programme;

(4) That a District Development Fund (DDF) bid in the sum of £27,000 be made for 2010/11 to meet the ongoing costs of management of the hall;

(5) That the submission of a planning application to the District Development Control Committee for the preferred scheme be approved;

(6) That competitive tenders be sought for the works to enhance the provision of facilities at Limes Farm Hall in accordance with the preferred scheme; and

(7) That a further report on the revenue funding arrangements from partner organisations and the required capital contribution from the Council, be received prior to the letting of any building contract for the redevelopment of the Hall.

## **11. FUNDING ISSUES - CONSERVATION & TOWN CENTRES OFFICERS**

### **Decision:**

(1) That the cost of the regrading of the Conservation Officer post had been met from existing budgets within the Continuing Services Budget be noted;

(2) That the recently received Local Authority Business Growth Incentive (LABGI) funding be allocated to the District Development Fund (DDF) Budget;

and

(3) That the LABGI funding for 2009/10 be allocated to fund the second and third year costs of the Town Centres Officer in 2010/11 and 2011/12.

## **12. RESTRUCTURE OF COMBINED REPAIRS & BUILDING MAINTENANCE WORKS UNIT**

### **Decision:**

(1) That the new structure of the combined Repairs and Building Maintenance Works Unit (to be called the Housing Repairs Section) be approved, with specific reference to the following points:

(a) That the following posts be deleted from the Establishment, and the post holders be placed 'at-risk' :

- (i) WKS/02 – Senior Works Officer (filled);
- (ii) HRP/01 – Repairs Manager (temporarily filled);
- (iii) HRP/02 – Assistant Repairs Manager (filled);
- (iv) WKS/04 – Works Supervisor (vacant);
- (v) WKS/05 – Works Administrator (filled);
- (vi) WKS/06 – Works Purchasing Officer (vacant);
- (vii) WKS/07T – Administrative Assistant (temporarily filled); and
- (viii) WKS/09 – Administrative Assistant (0.56fte) (vacant);

(b) That the following new posts be ring fenced initially to those post holders currently placed 'at-risk':

- (i) Area Repairs Manager (x2);
- (ii) Customer Repairs Manager;
- (iii) Assistant Area Repairs Manager;
- (iv) Customer Repairs Team Leader;
- (v) Tenant Liaison Officer; and
- (vi) Administration Assistant (part-time);

(c) That the post of Electrical Chargehand be retained, but re-branded as Electrical Manager, and that the current post holder be placed into this post; and

(d) That all new posts be evaluated in line with Single Status Job Evaluation;

(2) That in view of the significant change to the Housing Administration Officer post, this post be re-evaluated in accordance with Single Status Job Evaluation Policy;

(3) That, to accommodate the shift in workload from responsive repairs to planned maintenance, one existing Voids or Housing Repairs Officer post be deleted from the Establishment and one new Contracts Officer post in Housing Assets be created, ring-fenced to all the existing Voids and Housing Repairs Officer posts;

(4) That any jobs not filled by the 'at-risk' staff be advertised both internally and externally;

(5) That the overall saving of £60,617 (10.6%) generated from the proposed new structure be noted;

(6) That a new (1x fte) Grade 6 Housing IT post be created, funded from

the savings created from the proposed new structure;

(7) That the net saving of £31,067 be used to off-set the cost of the new External Management Contractor; and

(8) That the outcome of the consultation exercise with the Trade Unions and Staff on the proposed new structure be noted.

**13. STAFFING RESOURCES IN THE DIRECTORATE OF PLANNING & ECONOMIC DEVELOPMENT**

**Decision:**

(1) That the Compliance Officer (PEF06) and Administration Supervisor (PST02) posts be deleted from the Establishment;

(2) That the hours for the Technical Officer (Landscape) (PPC16F) post be increased from 0.8 fte to 1.0 fte; and

(3) That a new Senior Enforcement Officer post be added to the Establishment.

**14. MANAGING ABSENCE PROCEDURE**

**Decision:**

That, as advocated by the Joint Consultative Committee, the revised Managing Absence Procedure attached at Appendix 1 of the report be adopted by the Council.

**15. PLANNED MAINTENANCE PROGRAMMES - CIVIC OFFICES, OTHER OPERATIONAL BUILDINGS & COMMERCIAL PROPERTY 2010/11 TO 2013/14**

**Decision:**

(1) That the progress with the works approved for 2009/10, both capital and revenue funded, be noted.

(2) That the following bids for Capital funding be made for essential and planned maintenance works at the Civic Offices and other Operational Buildings and Commercial property for the years 2010/11 to 2013/14:

(a) in the sum of £502,000 in 2010/11;

(b) in the sum of £284,000 for 2011/12;

(c) in the sum of £333,000 for 2012/13; and

(d) in the sum of £11,000 for 2013/14;

(3) That the District Development Fund (DDF) position for the years 2010/11 to 2013/14 be noted and that no additional funding be currently required over and above that already allocated.

**16. CAPITAL STRATEGY 2009-14**

**Decision:**

- (1) That the proposed ranking of the Council's Key Capital Priorities be approved;
- (2) That carry forwards totalling £272,000 from 2009/10 to 2010/11 be approved;
- (3) That the draft Capital Strategy 2009-2014 be recommended to the Council for approval, subject to any amendments in respect of:
  - (a) the Planned Maintenance Programme 2010/11 to 2013/14; and
  - (b) the Limes Farm Hall project.

## **17. LOCAL GOVERNMENT PENSION SCHEME**

### **Decision:**

- (1) That all requests for the early release of pension payments on compassionate grounds be determined by members, with each request considered using the following criteria:
  - (a) the merits of the compassionate grounds;
  - (b) the financial implications for the Council; and
  - (c) any other relevant circumstance, such as length of service with the Council;
- (2) That the pension strain of such a request be funded by the Council up to a maximum of £5,000; and
- (3) That the request from a past employee for the early release of pension payments in the sum of £5,051.30 on compassionate grounds be agreed.

## **18. PRIVATE SECTOR HOUSING TEAM REVIEW**

### **Decision:**

- (1) That a District Development Fund (DDF) bid be made in the sum of £26,600 per annum for three years from 2010/11, to fund the cost of a part-time Technical Officer for 28 hours a week to:
  - (a) facilitate the full delivery of the Private Sector Housing Renewal Strategy 2007-09;
  - (b) meet the legislative requirements of the Caravan Sites and Control of Development Act 1960; and
  - (c) reduce the number of empty properties in the District; and,
- (2) That a report be provided to the Cabinet on the work undertaken by the post holder annually.

## **19. RE-DESIGN OF THE EPPING FOREST CARELINE PREMISES EXTENSION**

### **Decision:**

(1) That the first floor of the accommodation adjacent to the Careline centre not be converted into a one-bedroom flat and incorporated into the Council's sheltered housing scheme at Parsonage Court, Loughton, as previously agreed but that this area be used instead for additional office space for the Older People's Services Section; and

(2) That, due to the necessary re-design, a revised planning application be submitted for the extension of the Careline premises.

## **20. ARRANGEMENTS REGARDING SCANNED PLANNING FILES**

### **Decision:**

(1) That the decision and intention of the Director of Planning & Economic Development to secure the return of a limited number of files for further checking and securely dispose of the remainder be noted;

(2) That, whilst acknowledging the risks involved, file destruction be considered a proportionate response; and

(3) That a District Development Fund (DDF) bid for 2010/11 in the sum of up to £30,000 be made to fund the retrieval and checking of files.

## **21. 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:

<b><u>Agenda Item No</u></b>	<b><u>Subject</u></b>	<b><u>Exempt Info Paragraph No</u></b>
23	Expert Legal Advice in respect of post XEX/01	1

## **22. EXPERT LEGAL ADVICE IN RESPECT OF POST XEX/01**

### **Decision:**

(1) That, regarding the external legal advice obtained in respect of post XEX/01, the following be noted:

(a) that an interim invoice in the sum of £8,250 had been paid to the legal advisor prior to this meeting;

(b) that a second invoice in the sum of £11,950 had been received but additional information requested to support the charge;

(c) that the external advisor had now offered to reduce the amount of the second invoice by a sum of £5,200 provided that the invoice was settled without further delay; and

(d) that additional costs were anticipated and an estimate of costs up to and including attendance at the Council meeting on 22 December 2009 had

been provided in the sum of £8,500; and

(2) That a report be submitted to the Council recommending that a virement in the sum of £25,000 from the Corporate Improvement Budget (Performance Management Portfolio) to create a new budget within the Legal and Estates Portfolio to meet the estimated cost of all legal advice required.