

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Cabinet **Date:** Monday, 4 January 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.05 - 10.10 pm

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

Other Councillors: K Angold-Stephens, Mrs R Brookes, J Knapman, R Law, J Philip, Mrs C Pond, Mrs P Richardson, Mrs L Wagland, Mrs J H Whitehouse, 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), K Polyzoides (Assistant Director (Forward Planning)), M Tipping (Assistant Director (Facilities Management & Emergency Planning)), S G Hill (Senior Democratic Services Officer), I White (Forward Planning Manager), T Carne (Public Relations and Marketing Officer), R Martin (Website Assistant) and G J Woodhall (Democratic Services Officer)

Also in attendance: Parish Councillor J Salter

96. 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.

97. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had supported the response of Theydon Garnon Parish Council and had responded as a resident to the initial Gypsy & Traveller consultation. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had supported the response of North Weald Bassett Parish Council, had responded as a resident to the initial Gypsy & Traveller consultation, had attended meetings of both the North Weald Residents Association and North Weald Bassett Parish Council where the issue had been discussed, and was within notification range of one of the prospective sites. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had supported the response of Epping Town Council and had responded as a resident of Epping to the initial Gypsy & Traveller consultation, had attended Epping Residents and Thornwood Residents meetings on the subject and had signed a Residents' petition. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Ms S Stavrou declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had supported the response of Waltham Abbey Town Council and had responded as a resident of Waltham Abbey to the initial Gypsy & Traveller consultation, and in addition had attended Local Residents meetings. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(e) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor's husband had responded to the initial Gypsy & Traveller consultation as a resident of Roydon. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(f) Pursuant to the Council's Code of Member Conduct, Councillor B Rolfe declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had attended Lambourne Parish Council meetings where the issue had been discussed and was within the notification range of a prospective site. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(g) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had responded as a resident of Epping to the initial Gypsy & Traveller consultation. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(h) Pursuant to the Council's Code of Member Conduct, Councillor J Philip declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillor had supported the response of Theydon Bois Parish Council to the initial Gypsy & Traveller consultation. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(i) Pursuant to the Council's Code of Member Conduct, Councillors J Knapman & Mrs L Wagland declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillors had supported the response of Chigwell

Parish Council to the initial Gypsy & Traveller consultation. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(j) Pursuant to the Council's Code of Member Conduct, Councillors K Angold-Stephens, Mrs C Pond and D Wixley declared a personal interest in agenda item 18, Gypsy & Traveller Development Plan Document – Counsel Advice & Initial Analysis of the Options Consultation Responses, as the Councillors had supported the response of Loughton Town Council to the initial Gypsy & Traveller consultation. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

98. MINUTES

RESOLVED:

That the minutes of the meeting held on 16 November 2009 be taken as read and signed by the Chairman as a correct record.

99. REPORTS OF PORTFOLIO HOLDERS

Environment

The Environment Portfolio Holder made a statement regarding Waste Management Collections over the Christmas period. The Portfolio Holder apologised for the recent disruption to collections, due to the inclement weather that had been experienced. It was expected that the backlog of outstanding collections would be cleared by 9 January 2010 and that the normal collection timetable would resume from the week commencing 11 January 2010.

100. PUBLIC QUESTIONS

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

101. OVERVIEW AND SCRUTINY

The Vice-Chairman of the Overview and Scrutiny Committee presented its report to the Cabinet. At its meeting on 17 December 2009, it had considered the Call-In in respect of the Scanned Planning Files issue, and had upheld the Cabinet's decision. The Committee had also considered two reports from the Constitution & Member Services Scrutiny Panel regarding a review of the Council's Scrutiny arrangements and the periodic review of Financial Regulations, including Contract Standing Orders. The Terms of Reference for the Sustainable Communities Task & Finish Panel were endorsed, and an invite was extended to the Leader and Deputy Leader to attend the Committee's next meeting when the Cabinet's Key Priorities for 2010/11 would be considered. When considering the Cabinet agenda, the Committee felt that, in respect of the item concerning the Waste Management Policy on Replacement Containers, it was sometimes unavoidable to not place the bin out within 12 hours of its collection and that the wording for clause 2(c) should be clarified.

102. ANY OTHER BUSINESS

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

103. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 23 NOVEMBER 2009

The Portfolio Holder for Finance & Economic Development presented the minutes from the meeting of the Finance & Performance Management Cabinet Committee held on 23 November 2009. Recommendations had been made regarding: the Fees and Charges for 2010/11; an update on the Council's Procurement Activities & the Essex Hub; and an update on the performance of Benefit Claim Processing. Other issues considered had been: the Quarterly Financial Monitoring report for the period July to September 2009; the draft General Fund Continuing Services Budget and District Development Fund Lists for 2010/11; and the report of the Joint Member & Officer 2010/11 Budget Working Group.

The Portfolio Holder advised that converting the Benefits Officer post from a fixed term post to a permanent post had been investigated following the meeting and it was felt that this should now be agreed. Following a comment about the Voluntary Sector Grants not being increased for 2010/11, the Leader of the Council stated that Epping Forest was very generous in comparison to other Councils regarding Voluntary Sector Grants.

Decision:Fees & Charges 2010/11

(1) That, with the exception of car parking charges to be retained at their current levels, a general increase of 5% be applied to the other fees and charges levied by the Council in 2010/11;

Update on Council Procurement Activities & The Essex Procurement Hub

(2) That a seminar be arranged with local businesses to explain the Council's procurement procedures; and

Update on Performance of Benefit Claim Processing

(3) That, due to problems in recruiting, the conversion of the fixed term Benefit Officer post to a permanent role be agreed.

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.

104. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 14 DECEMBER 2009

The Portfolio Holder for Finance & Economic Development presented the minutes from the meeting of the Finance & Performance Management Cabinet Committee held on 14 December 2009. Recommendations had been made regarding: the

Insurance Excess report; and the draft General Fund Budget Summary for 2010/11. No other issues were considered at the meeting.

Decision:

Insurance Excess Report

(1) That the joint working pilot with Uttlesford District Council on handling insurance claims for an initial three month period be endorsed; and

Draft General Fund Budget Summary 2010/11

(2) That the budget guidelines previously set down be amended as follows:

(a) that the guideline for Continuing Services Budget (CSB) net expenditure for 2010/11 be reduced to £18million from £18.3million;

(b) that the guideline for District Development Fund (DDF) net expenditure for 2010/11 be increased to £1.3million from £800,000;

(c) that balances continue to be aligned to the Council's net budget requirement and be allowed to fall no lower than 25% of the net budget requirement; and

(d) that the District Council Tax be increased by not more than 2.5%; and

(3) That the items listed in both the CSB growth (savings) list and DDF expenditure list at Appendices 2 and 3 of the report be included in the revenue budgets for 2010/11, subject to any additional late growth bids or savings being 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.

105. DISABLED ADAPTATION - 2 CROSSFIELDS, LOUGHTON

The Housing Portfolio Holder presented a report concerning the disabled adaptation at 2 Crossfields in Loughton.

The Cabinet was informed that following receipt of a recommendation for a major disabled adaptation from Social Care Occupational Therapists at Essex County Council, the works had been estimated to cost in excess of £30,000 and consequently had been rejected by Officers under delegated powers. However, following approval from the Housing Appeals Panel, a ground floor extension to provide an additional bedroom and bathroom was arranged in accordance with Contract Standing Orders. However, a number of unforeseen problems had been encountered during excavations, which had resulted in the project exceeding the contract sum by £10,166.24 (24.5%).

Decision:

That, in accordance with Financial Regulations (Appendix B Item 32 Clause 2.60), the contract for the construction of an extension providing disabled accommodation at 2 Crossfields, Loughton exceeded the Contract Sum by £10,166.24 (24.5%) be noted.

Reasons for Decision:

Financial Procedure Rules 15 2007 Appendix B Item 32 Clause 2.60 requires Officers to prepare and submit reports, jointly with the Chief Finance Officer to the Cabinet, on completion of all contracts where the final expenditure exceeds the approved contract sum by more than the lesser of 10% or £25,000.

Other Options Considered and Rejected:

There were no other options for action considered.

106. REVISED MEMBERSHIP OF THE WASTE MANAGEMENT PARTNERSHIP BOARD

The Environment Portfolio Holder presented a report on the revised membership of the Waste Management Partnership Board. Recent changes to the management structure of Sita UK, the Council's Waste Management Service provider required that the membership of the Waste Management Partnership Board be amended to reflect those changes.

Decision:

(1) That, following a reorganisation of Sita's management arrangements, the following changes be made to the membership of the Waste Management Partnership Board:

(a) the withdrawal from the Board of Mr David Foster and Mr Darren Lockett (Sita); and

(b) the addition to the Board of Mr Paul Madden and Mr Vlad Velikoselskis (Sita); and

(2) That the amended membership of the Waste Management Partnership Board be recommended to the Council for approval.

Reasons for Decision:

To ensure that the membership of the Waste Management Partnership Board accurately reflected the Officers who had been allocated by Sita to attend.

Other Options Considered and Rejected:

There were no alternative options which would allow the continued operation of the Waste Management Partnership Board in accordance with its constitution.

107. WASTE MANAGEMENT POLICY - REPLACEMENT CONTAINERS

The Environment Portfolio Holder presented a report regarding the adoption of the

Waste Management Policy for Lost or Replacement Containers.

The Portfolio Holder reported that the Cabinet at its meeting in September 2009 had adopted a number of waste management policies and noted that further policies would be submitted for approval in the future. The latest policy for adoption was concerned with lost, damaged or stolen containers. The Portfolio Holder noted the comment of the Overview and Scrutiny Committee regarding clause 2(c)(i) of the policy (minute 101 refers) but reassured the Cabinet that each individual case would be judged on its merits, with the policy providing a set of guidelines. The Director of Environment & Street Scene added that the cost of replacing a standard wheeled bin was approximately £30, and that the Council was only concerned with covering its costs, not making a profit.

Further comments were made regarding the clauses 2(c)(i) and 2(c)(iii) within the policy and the Portfolio Holder requested that the policy be adopted for the time being but without clause 2(c), which would be reviewed by Officers.

Decision:

That the policy on loss or damage of waste management containers be adopted, subject to the following amendments:

- (a) clause 2(c) to be reviewed and deleted for the time being; and
- (b) clause 2(d) to be amended to read "...than in 2(a) to 2(b) above...".

Reasons for Decision:

To comply with the requirements of Cabinet on 7 September 2009 and to implement the policy required for dealing with lost or damaged waste containers

Other Options Considered and Rejected:

To not adopt the policy or to adopt the policy as set out in the report including clause 2(c).

108. GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT - COUNSEL ADVICE & INITIAL ANALYSIS OF THE OPTIONS CONSULTATION RESPONSES

The Leader of the Council presented a report regarding Counsel's advice on progress with the Gypsy & Traveller Development Plan Document (DPD), and the initial analysis of the Options Consultation responses.

The Leader of Council reported that Counsel had given advice about the future direction for the preparation of the Gypsy and Traveller DPD. Various options for action had been rejected, and other options had been discussed. It was felt that Officers should meet with the Government Office for the East of England (GO-East) in the light of the advice and because recent permissions and decisions by the Department of Communities & Local Government were making significant inroads into the Regional Spatial Strategy target set by the Single Issue Review. The Cabinet was requested to consider arranging a meeting with the relevant Minister to discuss the particular issues facing the District. The Cabinet was also asked to note the initial quantitative results of the Options consultation responses.

The Leader added that the consultations undertaken so far by the Council had been very valuable and the residents were thanked for their responses. However, the

whole process had taken approximately sixteen months to get to this stage. A letter to the Minister had been drafted and was tabled at the meeting. The three major points within the letter were:

- (i) the significant progress that had been made since 2006, with an increase in authorised sites and a decrease in unauthorised sites;
- (ii) the effect that this process was having on the overall development of a Local Development Framework; and
- (iii) the results of a review process carried out by the Planning Advisory Service, which had indicated that progress on the Core Strategy had been undermined by the development of the Gypsy & Traveller DPD as a separate process.

The Housing Portfolio Holder also thanked residents for their responses to the consultation, as this had provided much valuable information to the Council. However, the Portfolio Holder felt that elected Members had been disenfranchised by the process and would not be supporting the recommendations.

During discussions, three further key points were agreed for inclusion within the draft letter. These were: the generation of the Local Development Framework was not proving quicker than the old Local Plan process; the high cost that the Local Development Framework process had incurred so far and the total estimated cost; and the impact of the Local Development Framework process upon the workload of the Forward Planning section. It was felt that the Council had a good case and that the proposed meeting with the Minister provided the opportunity to re-enfranchise elected Members.

The Performance Management Portfolio Holder added that a number of Gypsies and Travellers had lived in the District for more than 20 years and were also unhappy with the process. The number of pitches within the District had increased over time through the normal planning process, and making Gypsies and Travellers a single, separate issue had slowed the process down. The Portfolio Holder felt that the Council had a firm evidence base with which to inform the Minister that the current process was flawed, slow, and very costly.

The Director of Planning & Economic Development added that residents could express their views directly to the Minister, and that it was planned to adopt the Core Strategy by 2013.

The Leader of the Council stated that GO-East had not responded to any of the Council's recent queries, and that a letter and meeting with the relevant Government Minister should be the next stage in the process. It was hoped that the three local Members of Parliament would also bring pressure to bear upon the Minister on the District's behalf.

Decision:

- (1) That the need for a meeting with the relevant Minister to discuss the future preparation of the Gypsy and Traveller DPD be agreed;
- (2) That the draft letter tabled at the meeting be sent to the relevant Minister prior to the meeting, subject to the following additions:
 - (a) generation of the Local Development Framework was not proving quicker than the old Local Plan process;

- (b) the cost of the Local Development Framework process so far and the total estimated cost; and
- (c) the impact of the Local Development Framework process upon the workload of the Forward Planning section;
- (3) That, subject to the addition of the above amendments, the draft letter to the Minister be ratified by the Council at its meeting scheduled for 19 January 2010.
- (4) That, pending the outcome of further discussions with the Government Office for the East of England (GO-East), preparation of the Gypsy and Traveller Development Plan Document be continued;
- (5) That the sites identified within the Options Consultation document not be rejected without formal consideration of the responses;
- (6) That Officers be authorised to continue discussions with Counsel and GO-East about prospective sites which were within or in close proximity to settlements; and
- (7) That the initial results of the analysis of the consultation responses be noted.

Reasons for Decision:

Any significant extension to the timetable for preparing the DPD would have significant implications for other Forward Planning work, notably the Core Strategy of the Local Development Framework. Ignoring or rejecting Counsel advice could lead to the intervention of the Secretary of State with decisions being taken on the location of sites for new pitches which were outside the control of this Council.

Other Options Considered and Rejected:

To reject or ignore Counsel advice.

109. LOCAL HIGHWAYS PANEL - PARISH COUNCIL REPRESENTATIVES

The Portfolio Holder for Community Safety & Transport introduced a report that summarised the views of the Local Councils' Liaison Committee on increasing the number of Parish Council representatives on the Local Highways Panel to four and affording those representatives full voting rights in common with the District Council members appointed to the Panel. The Portfolio Holder stated that her preferred course of action would be for the current arrangements to continue for the rest of the municipal year, with a review of the Panel's operation taking place at the end of 2009/10.

The Vice-Chairman of the Local Councils' Liaison Committee had been invited to address the Cabinet on this issue, on behalf of the Epping Forest branch of the Association of Local Councils. The Cabinet was reminded of the advice within the Localism Manual for the establishment of Local Highways Panels, and the Local Councils had felt that they should have four, not three, representatives and all with full voting rights. It was considered that this had been an oversight, which should be corrected now rather than at the end of the municipal year.

The Performance Management Portfolio Holder, who had been involved in the initial set-up of the Panel, informed the Cabinet that the Localism Manual had been

consulted when setting up the Panel as this was a new initiative. It had been decided to have one Parish Council representative from each of the three Area Planning Sub-Committee regions, with the pro rata rules applied to the 11 District Council members. The Cabinet was reminded that a review of the Panel was already scheduled for the end of the municipal year.

There was concern expressed that there had been problems with the set-up of the Panel. It was felt that a better geographical analysis of the areas covered by the Panel should be undertaken as there was a perception that some areas were not represented on the Panel. It was also felt important to grant the Local Council representatives full voting rights with immediate effect, rather than wait until the end of the municipal year, although it was highlighted that there had not been any votes at meetings of the Panel so far.

The Cabinet agreed to recommend to the Council that full voting rights be given to the current Parish Council representatives on the Local Highways Panel with immediate effect, and that the Panel should undertake a review of its operations and procedures before reporting to the Annual Council meeting on 25 May 2010.

Decision:

(1) That, following a request by the Local Council's Liaison Committee, the amendment of the Terms of Reference for the Local Highways Panel to grant the Parish Council Representatives full voting rights with immediate effect be recommended to the Council for approval; and

(2) That the Local Highways Panel be requested to review its operations and procedures and report to the Annual Council meeting scheduled for 25 May 2010.

Reasons for Decision:

To meet the request of the Local Councils' Liaison Committee that its views should be formally considered by the Cabinet.

Other Options Considered and Rejected:

To maintain the current status quo whereby the Parish Councils representatives remained without voting rights.

110. THE 'PREVENT' STRATEGY & PREVENTING VIOLENT EXTREMISM ACTION PLAN

The Portfolio Holder for Community Safety & Transport presented a report regarding the "Prevent" Strategy and Preventing Violent Extremism Action Plan.

The Portfolio Holder reported that the "Prevent" agenda was a key part of the Government's approach to managing violent extremism within communities, and was part of the overarching "Contest" policy which dealt with all types of extremism and terrorist activities. A summary of the Contest strategy had been attached to the agenda. Background information to the "Prevent" agenda had been provided and a local Preventing Violent Extremism (PVE) Action Plan had set out how the Council would seek to address the "Prevent" agenda.

It was pointed out that, despite being mentioned within the report, the Multi-Faith Forum had not been directly consulted with. It was also enquired as to whether Members would be invited to the presentations identified within the Action Plan. The

Director of Environment & Street Scene responded that the issue of presentations for Members would be investigated, possibly via the Local Strategic Partnership. In respect of Action 6, it was highlighted that the Council should not be delivering messages of violent extremism and that perhaps the wording required reviewing; the Cabinet concurred.

Decision:

- (1) That the content and intent of the Government's "Contest" and "Prevent" strategies be noted;
- (2) That the "Prevent" Action Plan be adopted, subject to a review of the wording for item (6) within the Action Plan, regarding the delivery of balanced messages of violent extremism with mainstream messages; and
- (3) That the Epping Forest Local Strategic Partnership ("One Epping Forest") be requested to establish a "Prevent" Partnership Group to oversee the delivery of the Action Plan and to arrange presentations for elected Members.

Reasons for Decision:

National Indicator 35, "Building Resilience to Violent Extremism" was one of the new suite of indicators which came into effect from March 2009. All local authorities were required to report upon it and this recommended action plan had set out how the Council would address the key issues.

Other Options Considered and Rejected:

Whilst all local authorities had to report, it was possible for authorities in two tier areas to develop joint action plans, subject to Government consent. However, there had been no clear indication that this approach was deliverable within Essex and therefore the Council had to develop an action plan of its own. Therefore, at this time, there were no alternatives available.

111. WAIVER OF CONTRACT STANDING ORDERS

The Environment Portfolio Holder introduced a report on breaches of Contract Standing Orders arising from the issuing of separate but multiple orders to Green Forest Environmental Services Limited over the period June 2007 to September 2009. The total expenditure involved had been approximately £100,000 over the two-year period.

The Portfolio Holder emphasised that all but one of the orders had been less than £10,000 with just three others exceeding £5,000 in value. The remainder were of a low value but the serial nature of the ordering had led to a significant breach of a number of Contract Standing Orders. Although Officers had clarified that the rates being employed were reasonable and indeed less than other available contractors, a formal tendering exercise had not been undertaken to clearly establish this position. This oversight was almost entirely due to the significant work pressures within the Directorate during this two year period, which had also included dealing with the aftermath of South Herts Waste Management's receivership and the novation of the contract to Cory Environmental, developing and letting a new contract, implementing that new contract and the recent introduction of the revised waste management service.

Decision:

That, in respect of work awarded to Green Forest Environmental Services Ltd, Contract Standing Orders C1(10), C4(2) and C5 be retrospectively waived.

Reasons for Decision:

To comply with the Council's Financial Regulations, and in particular Contract Standing Orders.

Other Options Considered and Rejected:

There were no alternative actions available.

112. COUNCIL PLAN 2006-10 AND KEY PRIORITY OBJECTIVES 2009/10 & 2010/11

The Performance Management Portfolio Holder presented a report regarding the Council's performance against the Council Plan 2006-10 and the Council's key priority objectives for 2009/10, as well as outlining the proposed key priority objectives for 2010/11.

The Portfolio Holder stated that the Council Plan for the period 2006-10 was the authority's key strategic planning document, setting out the service delivery priorities over the four-year period, with strategic themes matching those set out in the current Community Strategy for the District. The Action Plan attached at Appendix 1 of the report outlined the Council's performance against the objectives of the Council Plan. Although the statutory requirement to publish a Best Value Performance Plan had been removed from 2009/10, this process traditionally provided an opportunity for the Council to articulate its key priority objectives for each year, and, at its meeting on 5 February 2009, the Cabinet had adopted a range of specific key priority objectives for 2009/10. Attached at Appendix 2 to the report was the progress report of the Council's performance against each of the Key Priority Objectives for 2009/10. To enable the Council to focus on key priorities and improve performance, it was also now necessary to adopt the Council's key priority objectives for 2010/11 and the proposals were attached at Appendix 3 of the report.

Concern was expressed at the apparent abrupt change of priorities, the lack of longer-term objectives and the need for the proposed objectives to inform other strategies such as the Capital Strategy. The Leader of the Council explained that the current uncertain economic circumstances had necessitated a change of priorities, cross-cutting across all the Portfolios. It was acknowledged that the current list did not contain much detail, but it was linked to the Council's Medium-Term Financial Strategy. The Cabinet was requested to agree the proposed priorities as an interim measure before further refinement was undertaken.

There was some uneasiness voiced about two of the options within the Council Plan to increase Affordable Housing within the District, involving the use of Green Belt land and further development on urban spaces within existing estates. It was felt that both options should only be pursued as a last resort. It was emphasised that the Council Plan had been developed in 2006 and these options would be fully reviewed for the new Plan. However, the Cabinet was reminded that the District still had a requirement for more affordable housing. The Portfolio Holder added that further discussions had taken place with Harlow Council about sharing the resources of their contact centre, but that there were no plans at the current time to implement a full-scale contact centre at the Civic Offices.

Decision:

- (1) That the Council's performance against the objectives, targets and actions contained in the Council Plan for 2006 to 2010, for the year to 31 March 2009 be noted;
- (2) That the performance for the first eight months of 2009/10, in relation to the Council's key priority objectives for the year be noted; and
- (3) That the Council's proposed key priority objectives for 2010/11 be agreed as a work-in-progress.

Reasons for Decision:

It was important that the relevant performance management processes were in place to review and monitor performance against the Council's key objectives, priorities and targets, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of under performance.

The annual identification of key priority objectives provided an opportunity for the Council to focus specific attention on how existing weaknesses would be addressed, opportunities exploited and better outcomes delivered for local people.

Other Options Considered and Rejected:

To not set any specific key priority objectives for 2010/11, although this might mean that opportunities for improvement were lost.

113. FUTURE DEVELOPMENT OF LANGSTON ROAD DEPOT & OTHER KEY SITES WITHIN THE DISTRICT

The Leader of the Council presented a report concerning the future development of Langston Road and other key sites within the District owned by the Council.

The Leader outlined a strategy for the relocation of Council services away from the Langston Road depot. This would include the relocation of the Waste Management service provider when the current contract expired in either 2012 or 2014, and there were implications for the current external tenants, including the Women's Royal Voluntary Service (WRVS). The aim of the strategy was to solve short term operational problems and to achieve the medium to long term strategic objective of either selling the site or, as an alternative, redeveloping the site to achieve new streams of revenue income. The Cabinet was also asked to reallocate some existing District Development Funding in 2009/10 and further supplementary funding to conduct initial feasibility studies and associated work in respect of a number of key sites within the District that might be suitable for development. However, it was emphasised that no decision had yet been made about the possible sale of land at North Weald Airfield to the County Council for a depot.

The Portfolio Holder for Legal & Estates added that the key sites listed within the report were simply being put forward for consideration for possible development by the Asset Management Coordination Group, which itself was not a decision-making body. The intention was to conduct feasibility studies for all the listed key sites at this stage. The Portfolio Holder stated that, as the WRVS was not co-operating with the Council over vehicle parking conditions at the Langston Road site and had ignored similar conditions imposed by the Council as part of its lease in the past, it would be preferable if the current lease was not renewed when it expired in April 2011 and that

the request for a six-month extension should also be declined. A proposal to that effect was put to the Cabinet and agreed. The Portfolio Holder emphasised that the current lease did not expire for 14 months and that this would be ample time for the WRVS to find new premises.

Decision:

- (1) That the relocation of the Grounds Maintenance section, Vehicle Workshop MoT and Servicing Bays and the Waste Management Team to an alternative site on the Oakwood Hill Industrial Estate be agreed in principle;
- (2) That a detailed report on the construction and relocation costs arising from the decision in (1) above be submitted to a future meeting of the Cabinet before a final decision be made;
- (3) That the relocation of the Refuse and Street Cleansing Contractor from the Langston Road Depot be timed to coincide with the renewal of the current contract in 2012 or 2014;
- (4) That the request by the Women's Royal Voluntary Service (WRVS) for a six months extension of their existing lease at the Langston Road Depot from April to September 2011 be refused, and steps taken to terminate the lease in April 2011;
- (5) That a District Development Fund supplementary estimate for 2009/10 in the sum of £15,000 be recommended to the Council for approval in order to procure specialist external advice on the development potential of key sites within the District; and
- (6) That an existing sum of £10,000 currently allocated for consultancy fees in connection with Council Car Parks be reallocated for use in 2009/10 in connection with the key sites work arising from the decision in (5) above.

Reasons for Decision:

To mitigate outstanding health and safety issues in relation to overcrowding at the depot in Langston Road.

To make progress in achieving the Council's objective of vacating and selling the site or as an alternative redeveloping the site to achieve increased revenue income.

Other Options Considered and Rejected:

To do nothing, however this was not a viable option for reasons of health and safety associated with the daily operations at the Depot and also complying with the Council's policy to dispose of the site.

To relocate the Council's services to another site(s) elsewhere in the District, however there were no sites within the Council's ownership that would meet the operational requirements or would be suitable for the relocation of these services.

To accept the request from the WRVS for a six-month extension to their current lease in April 2011, however this would ensure a continuation of the current problems regarding vehicle parking at the Depot in Langston Road.

114. TOWN CENTRES OFFICER - TEMPORARY COVER

The Leader of the Council presented a report concerning the provision of temporary cover for the Town Centres Officer post.

The Cabinet was reminded that a motion had been presented to the Council on 3 November 2009 concerning Queen's Road business rates and support for town centres. The resolution requested "that the Cabinet provides appropriate temporary cover for the post of Town Centres Officer until the current postholder is able to return to work". There were two possible options for covering this post. The first and preferred option was to recruit a more experienced project manager, with communication, marketing and administration skills, ideally with a basic understanding of town centre partnership working. The second option was to recruit someone with administrative skills to address the existing backlog of work, responding to emails and other correspondence, and liaising with other colleagues and partners.

Decision:

That the proposed temporary cover of the Town Centres Officer post via recruitment agencies be approved, with a preference for candidates with project management, communication, marketing and administration skills.

Reasons for Decision:

To comply with the Council motion for temporary cover of the Town Centres Officer position.

Other Options Considered and Rejected:

In addition to the two options outlined herein, a further option was to do nothing.

115. EPPING FOREST YOUTH COUNCIL

The Leisure & Wellbeing Portfolio Holder presented a report on future funding for the Epping Forest Youth Council.

The Portfolio Holder reminded the Cabinet that the Epping Forest Youth Council had been established for two years now with the original Youth Councillors completing their term of Office at Christmas 2009. Elections had been held in local schools in the Autumn to recruit new members for the Youth Council for the period 2010-12. Twenty-three young people had been elected, representing all the local secondary schools within the District, along with three independent candidates that went to schools outside of the District.

The Cabinet were informed that operation of the Youth Council currently cost the Council approximately £12,000 per annum, which included: travelling expenses and taxi fares; a wide range of training and development; special events such as Youth Debates; and Youth Council uniforms. This was not currently provided as part of the Continuing Services Budget and therefore, each year, the Youth Council was required to present its case for funding to the Overview and Scrutiny Committee. The outgoing Youth Councillors had delivered their presentation on 12 November 2009 and it was agreed to recommend a District Development Funding bid of £12,000 to the Cabinet.

Decision:

That, as recommended by the Overview and Scrutiny Committee on 12 November 2009, a bid for District Development Funding in the sum of £12,000 for the operation of the Youth Council be made for 2010/11.

Reasons for Decision:

The Youth Council required a minimum budget of £12,000 per annum to function, to cover travelling expenses for those without transport, a range of training such as media, public speaking, and chairing meetings, the costs of staging youth debates and forums as well as Youth Council uniforms for all Youth Councillors.

Other Options Considered and Rejected:

To reject the recommendation of the Overview and Scrutiny Committee. However, this would mean that some Youth Councillors would not be able to attend meetings due to lack of transport; the necessary training could not be delivered and limited work could be undertaken by the Youth Council.

116. CONCESSIONARY FARES - GRANT FUNDING CONSULTATION

The Portfolio Holder for Community Safety and Transport presented a report on the Grant Funding consultation for the Concessionary Fares Scheme.

The Portfolio Holder reported that the Department for Transport had issued a Consultation Paper which proposed to reduce the special grant for concessionary fares to the Council in 2010/11 from £250,000 to £120,000. The deadline for responses had been 5.30pm on 30 December 2009; due to the postponement of the Cabinet meeting on its original scheduled date of 21 December, the Director of Finance & ICT had responded on behalf of the Council, as set out in paragraph 4 of the report.

The Portfolio Holder added that an agreement had been entered into with Essex County Council and the other Essex District Councils for the funding of concessionary travel in the County. This agreement had been based upon the original allocation of Special Grant; if this Council was to lose £130,000 of Special Grant and adhere to the existing agreement then funding would have to be allocated from the District Development Fund. The Director of Finance & ICT was seeking authorisation from the Cabinet to attempt to negotiate a reduction in the Council's contribution to the County scheme.

Decision:

- (1) That, as outlined in paragraph 4 of the report, the response made to the Department for Transport Consultation Paper by the Director of Finance & ICT be noted; and
- (2) That, in view of the likely £130,000 reduction in the Council's Special Grant for 2010/11, the Director of Finance & ICT be authorised to either:
 - (a) negotiate a reduction in the Council's contribution to the scheme coordinated by Essex County Council; or
 - (b) allocate the reduced funding from the District Development Fund.

Reasons for Decision:

To provide guidance to Officers on the approach Cabinet wanted to take with Essex County Council.

Other Options Considered and Rejected:

To wait for the outcome of the consultation before making a decision, although early consideration of this issue would assist Officers in their dealings with Essex County Council.

CHAIRMAN