



# Epping Forest District Council

## DECISIONS

<b>Committee:</b>	<b>CABINET</b>
<b>Date of Meeting:</b>	<b>Monday, 13 September 2010</b>

<b>Date of Publication:</b>	<b>21 September 2010</b>
<b>Call-In Expiry:</b>	<b>27 September 2010</b>

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 13 September 2010, 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:**

- (1) That the minutes of the meeting held on 19 July 2010 be taken as read and signed by the Chairman as a correct record.

**7. LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 13 JULY 2010**

**Decision:**

(1) That the minutes of the Local Development Framework Cabinet Committee held on 13 July 2010 be noted.

**8. NON-HOUSING ASSETS WITHIN THE HOUSING REVENUE ACCOUNT**

**Decision:**

(1) That the transfer of the non-housing assets, as listed in Appendix 1 of the report, to the General Fund be recommended to the Council for approval at its meeting scheduled for 2 November 2010;

(2) That authority be delegated to the Director of Finance & ICT to write to the Secretary of State to request permission for the transfer of the properties listed in Appendix 1 of the report from the Housing Revenue Account to the General Fund; and

(3) That the Housing and Finance & Performance Management Scrutiny Panels be requested to hold a joint meeting to consider the proposed transfer and to provide its views and recommendations on the proposals to the Council on 2 November 2010.

**9. TELECOMS MAST - HONEY LANE, WALTHAM ABBEY**

**Decision:**

(1) That, provided they have not moved home, those residents who originally objected to the application for a determination as to whether prior approval was required for the erection of a mobile phone mast be paid a further and final sum of £250 as compensation;

(2) That the residents of the properties marked on the map attached at Appendix 1 of the report be also offered compensation in the sum of £250, subject to the following conditions:

(a) they were resident in their property when the mast was erected;

(b) they have not moved from their home since the mast was erected; and

(c) they have not previously received compensation from the Council in respect of this matter; and

(3) That the compensation offered be without prejudice and as an apology for the failure of the Council to deal with the application for the mast in a timely manner.

**10. OPEN MARKET SHARED OWNERSHIP SCHEME**

**Decision:**

(1) That the previously agreed Open Market Shared Ownership (OMSO) Scheme be piloted in 2010/11 but with Broxbourne Housing Association (BHA) instead of Moat, and operated in the manner previously agreed by the Cabinet subject to the following changes:

- (a) applicants of the Scheme also be allowed to purchase two-bedroomed houses;
  - (b) the maximum property purchase price be increased to £210,000;
  - (c) the purchased property to be of modern construction, either brick/block or brick/timber cavity construction;
  - (d) applicants also be allowed to purchase a property in Hertfordshire, or a London Borough immediately neighbouring the Epping Forest District;
  - (e) if the Scheme is subsequently extended to a Phase 2 then BHA's marketing, legal and administration costs be reduced from £2,500 to £2,000 for phase 2; and
  - (f) if the scheme is over-prescribed then priority be given to those applicants seeking to purchase the cheapest properties;
- (2) That the Director of Housing and the Director of Corporate Support Services be authorised to agree the detail of the scheme and the necessary legal agreements;
- (3) That the Pilot Scheme be funded from the £435,000 payment received by the Council from McCarthy & Stone to fund affordable housing within the District (in accordance with the Section 106 Agreement for its recently completed development in Epping) in order to fund 8 shared ownership properties, and budget provision be made accordingly within the Housing Capital Programme for 2010/11;
- (4) That the existing budget of £350,000 for the OMSO Scheme within the Housing Capital Programme for 2010/11 be carried forward to 2011/12;
- (5) That the success of the Pilot Scheme be reviewed by the Housing Portfolio Holder upon completion; and
- (6) That the Housing Portfolio Holder be authorised to extend the OMSO Scheme into a Phase 2 in 2011/12, if considered appropriate, to provide a further 6 shared ownership properties, utilising the £350,000 budget provision.

**11. REVISED TREASURY MANAGEMENT STRATEGY STATEMENT & INVESTMENT STRATEGY 2010-13**

**Decision:**

- (1) That the amended 2010/11 Treasury Management Strategy Statement and Investment Strategy 2010/11 to 2012/13 be recommended to the Council for approval;
- (2) That the deletion of the local performance indicator on investment returns be recommended to the Council for approval; and
- (3) That the Treasury Management Prudential Indicators for 2010/11 to 2012/13 be noted.

**12. HOUSING STRATEGY 2009-12 - KEY ACTION PLAN 2010/11**

**Decision:**

(1) That, as recommended by the Housing Scrutiny Panel, the proposed Housing Strategy Key Action Plan 2010/11 – attached to the report at Appendix 1– be adopted.

**13. REPLACEMENT OF RESTRICTIVE COVENANTS - EPPING FOREST COLLEGE, LOUGHTON**

**Decision:**

(1) That the right of pre-emption in respect of the land shown edged thick black on Plan A (attached at Appendix 1 of the report) and edged thick black on Plan C (attached at Appendix 3 of the report), which are part of Epping Forest College, be recommended to the Council for unconditional release;

(2) That the full release of the covenant which restricts the use of the land shown edged thick black on Plan A, in return for a side-letter or words in the deed of release with respect to the College providing replacement sports facilities when their funding situation allowed, be recommended to the Council for approval;

(3) That the delegation of authority to the Director of Corporate Support Services, in consultation with the Portfolio Holder for Legal and Estates, to negotiate any reasonable variation to the covenant restricting the use of the land shown edged thick black on Plan C be recommended to the Council for approval; and

(4) That the delegation of authority to the Director of Corporate Support Services to agree minor variations to the new covenants, as required, be recommended to the Council for approval.

**14. ADOPTION OF CCTV SERVICE DELIVERY PLAN & CODE OF PRACTICE**

**Decision:**

(1) That, following consideration by the Safer, Cleaner, Greener Scrutiny Standing Panel and the Overview and Scrutiny Committee, the CCTV Delivery Plan and associated Code of Practice be adopted.

**15. PROPOSED COUNTRYCARE RE-STRUCTURE**

**Decision:**

(1) That the proposed re-structure for Countrycare, by deleting one Assistant Countryside Manager post and creating an additional Countryside Assistant post thereby fortifying the project implementation tier of the team and allowing for the further extension of the volunteer programme, be agreed; and

(2) That Countrycare's intention to extend its volunteering and public engagement programme be noted.

**16. BOBBINGWORTH FORMER LANDFILL SITE - FINAL ACCOUNT**

**Decision:**

- (1) That the completion of the works for the restoration and remediation of the Bobbingworth former landfill site be noted;
- (2) That the commencement of the seven-year after care maintenance agreement by Veolia Environmental Limited be noted;
- (3) That the final account for the project be noted;
- (4) That the estimated capital saving of £38,000 be retained within the project budget;
- (5) That a further report be submitted outlining the estimated savings in ongoing revenue maintenance costs by retaining and utilising the capital savings, for example by purchase of maintenance equipment; and
- (6) That the Environment Portfolio Holder be authorised to consult on and agree the membership and terms of reference for the Local Liaison Group previously agreed.

**17. DESKTOP HARDWARE UPGRADE**

**Decision:**

- (1) That the replacement of all desktop hardware over five years old be agreed;
- (2) That the continued use of Thin Client Technology (TCT), involving a low-end computer terminal to access ICT functionality held on a centrally based server, be endorsed to allow a cheaper and more manageable desktop solution; and
- (3) That a leasing option be included in any invitation to quote from the Buying Solutions network.

**18. HEALTH AND SAFETY POLICIES**

**Decision:**

- (1) That, as requested by the Joint Consultative Committee, the proposed Asbestos Policy attached at Appendix 1 of the report be adopted by the Council; and
- (2) That, as requested by the Joint Consultative Committee, the proposed Stress Policy attached at Appendix 2 of the report be adopted by the Council.

**19. ANY OTHER URGENT BUSINESS**

**Decision:**

- (1) That the Constitution & Member Services Scrutiny Panel be requested to examine the current Executive Procedure Rules within the Council's Constitution requiring all business not concluded by 10.00pm to stand referred to the next meeting or voted upon without debate.

**20. EXCLUSION OF PUBLIC AND PRESS**

**Decision:**

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<b><u>Agenda Item No</u></b>	<b><u>Subject</u></b>	<b><u>Exempt Info Paragraph No</u></b>
22	Local Land Charges – Access to Environmental Information	3

**21. LOCAL LAND CHARGES - ACCESS TO ENVIRONMENTAL INFORMATION**

**Decision:**

(1) That the likely loss of income from future personal searches together with the potential for claims for the refund of fees already paid for personal searches undertaken since 1 April 2005 as a result of the Local Land Charges (Amendment) Rules 2010, which came into force on 17 August 2010 and revoked the right to charge, be noted;

(2) That a further possible financial impact on the Council if the Government decides the replies to enquiries raised on the CON29R search enquiry form for both personal and official searches should also be provided free of charge under the Environmental Information Regulations be noted;

(3) That a further report be made to a future meeting of the Cabinet, identifying options for the mitigation of any shortfall in income arising from the changed fee regime in respect of personal and CON29R search enquiries;

(4) That, with immediate effect, personal searches be carried out in the manner specified within the report, in order to:

(a) reduce the time spent by staff facilitating the provision of this service for which a charge can no longer be made; and

(b) to avoid potential claims for incomplete information;

(5) That a further review be undertaken as to how the Council's statutory responsibilities in relation to local land charge searches could be performed cost effectively;

(6) That, in accordance with the recommendations of the Local Government Association, the Leader of the Council and the Chief Executive be authorised to write to the relevant Government departments to advise them of the anticipated loss of income and additional administrative costs arising from the revocation of the personal search fee, and to seek assurances of Government assistance in that regard; and

(7) That the sum of £300 be contributed to a fund administered by the Local Government Association to obtain advice on an alternative charging regime for personal and CON29R search enquiries.

