



Epping Forest District Council

DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 5 December 2011

Date of Publication:	14 December 2011
Call-In Expiry:	20 December 2011

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 5 December 2011, 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 might not necessarily reflect the actual wording that will appear in the minutes, which will take precedence as the minutes are the official record of the meeting.

If you have any queries about the matters referred to in this decision sheet then please contact:

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Call-In Procedure

If you wish to call-in any of the eligible decisions taken at this meeting you should complete the call-in form and return it to Democratic Services before the expiry of five working days following the publication date. You should include reference to the item title. Further background to decisions can be found by viewing the agenda document for this meeting at: www.eppingforestdc.gov.uk/local_democracy

Decision No:

3. MINUTES

Decision:

- (1) That the minutes of the meeting held on 24 October 2011 be taken as read and signed by the Chairman as a correct record.

7. NORTH WEALD AIRFIELD & ASSET MANAGEMENT CABINET COMMITTEE - 25 OCTOBER 2011

Decision:

(1) That the minutes of the meeting of the North Weald Airfield & Asset Management Cabinet Committee held on 25 October 2011 be noted.

8. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 21 NOVEMBER 2011

Decision:

Revenue Income Optimisation

(1) That the report on the recent Revenue Income Optimisation exercise undertaken by Pricewaterhouse Coopers be noted;

(2) That the preferred approach to each of the following possible revenue generation options identified by Pricewaterhouse Coopers be agreed in principle:

(a) the introduction of advertising or sponsorship on the Council's website

(b) the introduction of advertising or sponsorship on the Council's fleet of vehicles;

(c) the investigation of opportunities for the expansion and development of the Council's car parks; and

(d) the investigation of other business opportunities for the Council's car parks;

(3) That a further report regarding the implementation of the options identified in recommendation (2) above be made at the Cabinet Committee's next scheduled meeting on 16 January 2012, at which the members of the Finance & Performance Management Scrutiny Panel would be invited to attend;

(4) That the preferred approach to each of the following possible revenue generation options also identified by Pricewaterhouse Coopers be further examined in the future:

(a) the introduction of advertising or sponsorship on the Council's land and property assets;

(b) the introduction of advertising or sponsorship on billboards at prime locations in the ownership of the Council;

(c) the introduction of advertising on lamp columns and CCTV columns managed by the Council;

(d) the introduction of sponsorship for events and services; and

(e) the development of existing advertising sources; and

(5) That all other possible revenue generation options identified by Pricewaterhouse Coopers as part of their Revenue Income Optimisation

exercise, particularly in relation to increased car parking charges, not be considered at the current time.

Mid-Year Treasury Report

(6) That the management of the risks associated with the Council's Treasury Management function during the first half of 2011/12 be noted; and

(7) That the change in strategy to reduce the minimum long-term rating from A+ (or equivalent) down to A- (or equivalent) specifically only for the use of the Council's bank, NatWest, and only while it remains in the ownership of the UK Government, be recommended to the Council for approval;

Corporate Risk Update

(8) That the deletion of risk 4, 'East of England Plan – Unable to agree joined up Plan', be agreed;

(9) That the review and re-naming of risk 3, 'Potential difficulty producing Local Plan to timetable', be agreed;

(10) That the review of risk 29, 'Gypsy Roma Traveller Provision', by the Risk Management Group and the Corporate Governance Group and their conclusion that the score should be increased to 'Significant Likelihood, Critical Impact' (C2) be agreed;

(11) That the Consequences for risk 8, 'Business Continuity Management', be updated following the recent exercise;

(12) That the Effectiveness of Control and Required Further Action for risk 17, 'Significant Amounts of Capital Receipts spent on Non Revenue Generating assets' be updated;

(13) That the Further Management Action for Risk 27, 'Shortfall in Key Income Streams', be updated following the recent Pricewaterhouse Coopers study;

(14) That the review of risk 20, 'Key Contract collapses or service levels deteriorate', by the Risk Management Group and the Corporate Governance Group and their conclusion that the score should be decreased to 'Significant Likelihood, Critical Impact' (C2) be agreed;

(15) That risk 33, 'Reform of Housing Revenue Account', be updated to reflect the Council's likely level of debt being £190million;

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

(17) That, incorporating the above agreed changes, the amended Corporate Risk Register be approved;

Fees and Charges

(18) That the fees and charges levied for Council Services in 2012/13 be set at the levels as Appendix 1 of the report, with the exception of:

(a) Bulky household waste collections to remain the same as 2011/12; and

(b) trade waste collections to remain the same as 2011/12, provided Sita UK did not increase their fees to the Council;

(19) That the fees and charges for Housing related services in 2012/13 be set at the levels detailed in Appendix 1 to these minutes;

(20) That the fees and charges for the following services remain unchanged for 2012/13:

(a) off street pay and display car parking;

(b) Local Land Charges;

(c) MOT tests provided by Fleet Operations; and

(d) the services provided by the Community & Culture section within the Office of the Deputy Chief Executive, such as New Horizons, Sports Development and Lifewalks;

(21) That the fees and charges for pre-application discussions concerning major planning applications be increased by 5%; and

(22) That the remaining fees and charges for 2012/13 as set by outside bodies or controlled by statutory regulation be noted.

9. COUNCIL HOUSE BUILDING PROGRAMME

Decision:

(1) That a suitably qualified organisation be appointed to provide a House Building Development Agency Service for the Council, including all development and project management services, and the provision of all professional building services, including (but not exclusively) architectural, employer's agency, quantity surveying, cost consulting, planning supervision, engineering and surveying, but excluding works construction;

(2) That a Development Agent be appointed by the Cabinet:

(a) following a competitive tender process using the EU OJEU Restricted Procedure procurement process;

(b) based on the most economically advantageous tender (in terms of price and quality) received from at least five suitably qualified organisations, shortlisted through a Pre-Qualification Questionnaire (PQQ) process, in accordance with pre-determined evaluation criteria;

(c) based on criteria used for both the PQQ stage and Tender stage previously approved by the Cabinet, on the recommendation of the Housing Portfolio Holder;

(d) having regard to the agreed criteria and on the recommendation of a Selection Panel chaired by the Housing Portfolio Holder, and also comprising the Chairman of the Housing Scrutiny Panel, Director of Housing and Asst. Director of Housing (Property); and

(e) for a four-year period, with options to extend the contract for three further individual years;

- (3) That the Essex Procurement Hub be requested to undertake the EU procurement process for the appointment of the Development Agent, on behalf of the Council;
- (4) That a suitably experienced Housing Development consultant be appointed to undertake the appointment process for the Development Agent, in liaison with the Essex Procurement Hub, funded from within the existing resources of the Housing Revenue Account's (HRA) Housing Feasibilities Budget;
- (5) That, through the contract with the Development Agent, all the Development Agent's consultants be required to provide the Council with collateral warranties, as a safeguard to enable the Council to take legal action against a consultant directly if problems arose in the future due to negligence;
- (6) That the evaluation of PQQs and tenders be undertaken by the Housing Portfolio Holder, Officers and the Housing Development consultant, in accordance with the pre-determined and approved evaluation criteria;
- (7) That the Housing Portfolio Holder be authorised to agree any other aspects of the appointment process for the Development Agent, not covered by this report or decisions;
- (8) That, once the initial desktop development assessments of garage and other housing sites had been completed by Officers, and the HRA Financial Plan agreed, reports be submitted to the Cabinet on a proposed Council House Building Development Programme, based on the completion of around 20 new affordable homes per annum, and seeking approval to undertake development appraisals and seek planning permission for specific sites;
- (9) That, once the Cabinet had approved the House Building Programme, further reports be submitted to the Cabinet on the required budgetary provision for the Housing Capital Programme;
- (10) That, in the meantime, appropriate capital provision for the House Building Programme be included within the Indicative HRA Financial Plan, to be considered by the Cabinet at its meeting on 5 December 2011;
- (11) That appropriate revenue provision be made within the HRA from 2012/13, to fund the associated revenue costs of the House Building Programme, including a budget for abortive fees for developments that did not proceed;
- (12) That Affordable Rents (not Social Rents) be charged for the completed Council properties, in accordance with the Government's Affordable Rents Framework, with rent levels to be charged for individual properties agreed as part of development appraisals;
- (13) That all financial and development appraisals, any borrowing requirements and the required Housing Capital Programme funding for proposed "development packages" by the Council be approved by the Cabinet on an individual basis;
- (14) That such development packages be funded from the following sources (with full details to be set out in the development appraisals for individual schemes approved by the Cabinet), on the basis that the Council

House Building Programme was self-funded, without any financial support from the General Fund:

- (a) HRA surpluses;
 - (b) Homes & Communities Agency (HCA) funding (where possible);
 - (c) Section 106 Agreement contributions from developers in lieu of on-site affordable housing provision;
 - (d) Borrowing (if necessary);
 - (e) Cross-subsidy from the sale of other development sites within the House Building Programme on the open market if necessary; and/or
 - (f) Capital receipts from future Right to Buy sales, if the Government introduced its recently-announced policy to increase discounts under the Right to Buy, and replace each property sold with a new affordable home;
- (15) That, once the Development Agent had been appointed, a Development Strategy be formulated setting out the proposed approach to planning and delivering the House Building Programme, for adoption by the Cabinet;
- (16) That a new part-time Senior Housing Officer (Development) post (18 hours per week) be established once the Development Agent had been appointed and appropriate budget provision made within the HRA for 2012/13 when the salary grade had been determined;
- (17) That, once appointed, development partner status for the Council be sought by the selected Development Agent from the HCA, and the Pre-Qualification Questionnaire be completed on behalf of the Council; and
- (18) That the appointed Development Agent be required to procure contractors to construct the properties within the development packages on behalf of the Council, in accordance with the Council's Contract Standing Orders and EU procurement requirements (if necessary).

10. HRA 30-YEAR FINANCIAL PLAN

Decision:

- (1) That the report of CIHConsult, the Council's Housing Revenue Account (HRA) Business Planning Consultants, as attached at Appendix 1 of the report, be noted;
- (2) That, having taken account of the views of the Tenants and Leaseholders Federation and the Joint Meeting of the Housing and Finance & Performance Management Scrutiny Panels, the general strategic approach for the HRA Financial Plan be as follows:
- (a) That provision be made within the Financial Plan to fully maintain the Council's housing stock to a modern standard, based on current stock condition and standard industry life cycles, as opposed to maintaining the stock at the current minimum Decent Homes Standard;
 - (b) That, in order to achieve the Council's aspirations to commence a new Council Housing Building Programme, provision be made within the Financial

Plan to fund such a Programme on the basis that individual development packages were self-funding, without any support or funding from the General Fund, subsidised if necessary from:

- (i) grant from the Homes and Communities Agency (HCA);
 - (ii) Section 106 Agreement contributions from developers, in lieu of on-site affordable housing provision;
 - (iii) if allowed by the Government, the proceeds of Right to Buy (RTB) sales as a result of the Government's proposal to increase RTB discounts whilst ensuring that a new affordable home was provided to replace the affordable home lost;
 - (iv) Housing Revenue Account (HRA) surpluses; and/or
 - (v) cross-subsidy from the sale of other development sites within the House Building Programme on the open market;
- (c) That average rent increases included within the Financial Plan be based on the following rent increases in order to achieve rent convergence by April 2017:
- (i) average rent increases of 6% in April 2012;
 - (ii) average rent increases of the Retail Price Index (RPI) + 1.96% for the four years between April 2013 and April 2016 inclusive; and
 - (iii) average rent increases of RPI + 0.5% from April 2017, as assumed by the Government within the HRA debt settlement;
- (d) Notwithstanding the provision for rent increases included within the Financial Plan, consideration be given each year during the HRA budget process, to the possibility and appropriateness of making a lower rent increase for the following year, having regard to the short and long term effects on the Financial Plan, the need to meet the Council's housing and financial objectives, Government guidance and the effects on tenants; and
- (e) Provision be made within the Financial Plan to fund £770,000 per annum for housing improvements and service enhancements for the next eight years, increased to £5.47million per annum from Year 10;
- (3) That the Indicative HRA Financial Plan, attached at Appendix 2 of the report, based on the above assumptions be adopted, and that the final version of the Financial Plan be adopted by the Cabinet on 30 January 2012 or 12 March 2012, dependent on the date the final HRA debt settlement for the Council was confirmed by the Government;
- (4) That, following consultation with the Tenants and Leaseholders Federation, the Housing Scrutiny Panel be requested to consider and recommend to the Cabinet a range of potential housing improvements and service enhancements that could be undertaken, funded from the additional £770,000 per annum provision made within the Financial Plan;
- (5) That a further report be submitted to the Cabinet by the Housing Portfolio Holder on the additional staffing requirements for delivering a full maintenance programme to a modern standard; and

(6) That the Council's Treasury Management advisers, Arlingclose, be requested to continue to provide advice to the Council on the effects of the HRA debt settlement (if any) on the Council's General Fund.

11. PLANNED PREVENTATIVE MAINTENANCE PROGRAMME 2012-17

Decision:

(1) That the Five Year Planned Maintenance Programme 2012-17 for operational and commercial properties be noted;

(2) That the progress with the works approved for 2011/12, both capital and revenue funded, be noted;

(3) That, subject to clarification of the Electrical Load Management entries and as detailed in Appendix 2 of the report, the following levels of expenditure for essential and planned maintenance at the Civic Offices, other operational buildings and commercial property be approved for 2012/13:

(a) Capital expenditure in the sum of £354,000, which represents a saving of £130,000 on the previously agreed budget;

(b) District Development Fund (DDF) expenditure in the sum of £45,000, previously agreed;

(c) Continuing Services Budget (CSB) expenditure in the sum of £118,000, previously agreed; and

(d) Housing Revenue Account (HRA) expenditure in the sum of £7,000, previously agreed;

(4) That the current projected levels of expenditure for essential and planned maintenance at the Civic Offices, other operational buildings and commercial property for the period 2013/14 to 2015/16 be noted;

(5) That the current schedule of essential and planned maintenance at the Civic Offices, other Operational Buildings and Commercial Property be reviewed to avoid excessive expenditure from the General Fund in 2013/14; and

(6) That the Capital and Revenue spending profiles for essential and planned maintenance works at the Civic Offices, other Operational Buildings and Commercial Property for the five-year period 2011/12 to 2015/16 be noted.

12. KEY OBJECTIVES 2011/12 - PROGRESS REPORT

Decision:

(1) That the progress towards the achievement of the Council's Key Objectives for 2011/12 during the first six months of the year be noted.

13. BIOLOGICAL RECORDS IN ESSEX - SERVICE LEVEL AGREEMENT & FUNDING

Decision:

(1) That a Service Level Agreement be entered into with the Essex

Wildlife Trust (EWT) to support the development and setting up of a Biological Records Centre in Essex, including the receipt of habitat and species data for use in local authority decision making; and

(2) That The New Burdens (Habitats Regulations Assessment and Climate Change Planning Policy Statement) Grant Determination be ring-fenced for Countrycare to fund the following:

(a) £24,000 be used to support the Biological Records in Essex (BRIE) programme for the Council; and

(b) the remaining £26,505 be used for other protected species and habitat related consultation, advice or support in respect of BRIE or other planning application issues.

14. FUNDING OF POLICE COMMUNITY SUPPORT OFFICERS

Decision:

(1) That, under the Blueprint for future Policing of the District, the funding of all Police Community Support Officers by Essex Police using their Government funding allocation be noted; and

(2) That the joint funding of Police Community Support Officers by the Council be ceased with effect from the commencement of the 2012/13 financial year, generating a Continuing Service Budget saving in the sum of £62,750.

15. GOVERNMENT CONSULTATION - TECHNICAL REFORMS OF COUNCIL TAX

Decision:

(1) That the proposed changes to Council Tax be noted; and

(2) That the proposed responses to the Government consultation, as set out in Appendix 1 of the report, be approved.

16. LOWEWOOD MUSEUM, HODDESDON

Decision:

(1) That the entering into of a five year service level agreement with Broxbourne Borough Council to manage Lowewood Museum in Hoddesdon be agreed; and.

(2) That, to accommodate the management of Lowewood Museum by the Council's Museum Service from 1 February 2012, the proposed change in the public opening hours of the Epping Forest District Museum – as detailed in Appendix 1 of the report – be agreed.

17. TRANSFER OF THE COUNCIL'S FLOOD WARNING SYSTEMS TO THE ENVIRONMENT AGENCY

Decision:

(1) That the report be withdrawn pending continuing discussions with the Environment Agency by the Portfolio Holder.

18. DRAFT CALENDAR OF COUNCIL MEETINGS - 2012/13

Decision:

(1) That, as attached at Appendix 1 of the report, the draft Calendar of Council Meetings for 2012/13 be recommended to the Council for adoption subject to further consideration of the following by Officers:

(a) the meeting of the Council scheduled for 27 September 2012 be brought forward to 25 September 2012;

(b) the meeting of the Constitution & Member Services Scrutiny Panel scheduled for 25 September 2012 be put back to 27 September 2012; and

(c) the meeting of the Standards Committee scheduled for 25 September be put back to 2 October 2012.

