



Epping Forest District Council

DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 12 March 2012

Date of Publication:	20 March 2012
Call-In Expiry:	26 March 2012

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 12 March 2012, 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 30 January 2012 be taken as read and signed by the Chairman as a correct record.

7. FIRE SAFETY IN FLAT BLOCKS

Decision:

(1) That the removal of personal belongings and any other items stored in common parts of flats be enforced, with the exception of the following concessions as put forward by the Workplace Fire Safety Officer of the Essex Fire and Rescue Service:

- (a) Pictures hung on the wall, provided that they did not contain glass in the frame;
- (b) Mats placed outside front doors, provided that these were rubber backed (non-slip) and had a chamfered edge all around;
- (c) Curtains at windows, provided that they were flame retardant; and
- (d) Non-flammable items which were aesthetically pleasing (e.g. plant pots), provided that they were stored in recesses away from any means of escape routes, and not on window sills;

(2) That carpets in common parts of flat blocks not be allowed and that, after a four-month period of the date of this decision, the removal of carpets where residents had previously loose laid or fitted them and had not removed them voluntarily be enforced by the Council, unless the following conditions were met within the four-month period as advised by the Chief Fire Officer of the Essex County Fire & Rescue Service in his letter to the Council dated 2 February 2012:

- (a) confirmation that all individual flats affected would be fitted with mains operated smoke detectors by the occupiers or the Council within one year of this decision;
- (b) all doors leading onto common areas, including individual flat doors, provide a minimum of 30 minutes fire resistance in accordance with BS 476 and be fitted with a suitable self-closing device by the tenant or leaseholder concerned at their cost;
- (c) no personal belongings or other combustible items be stored by tenants, leaseholders or visitors within the common areas at any time;
- (d) a high standard of general housekeeping be maintained by all tenants and leaseholders at all times;
- (e) an effective main entrance door and security entry system be provided and maintained;
- (f) the carpets:
 - (i) conform to BS 5287;
 - (ii) be professionally fitted in the first instance, with evidence provided to the Council of such professional fitting; and
 - (iii) be maintained in a good condition at all times; and

- (g) an effective building inspection and management system be maintained by the Council;
- (3) That carpets only be allowed to remain in accordance with (2) above, if all tenants and leaseholders in a block had confirmed to the Council in writing within the four-month period referred to above their agreement to:
- (a) wanting the existing carpets to remain;
 - (b) not holding the Council responsible or liable in the future for any accidents, fires or incidents occurring as a result of the carpets remaining;
 - (c) ensuring that the conditions in (2) above would be maintained by them at all times; and
 - (d) in the case of leaseholders, entering into a Deed of Variation with the Council, at the leaseholder's cost, to vary their lease to commit and bind subsequent leaseholders of their properties the conditions referred to in (2) above when the lease is assigned in the future;
- (4) That further consideration be given to undertaking an enhancement programme of installing mains-powered smoke detectors in all Council-owned properties, as part of the Housing Scrutiny Panel's deliberation of the proposed list of housing improvements and service enhancements, funded from the additional resources made available under HRA Self-Financing;
- (5) That smoke alarms not be installed in common parts of flat blocks in line with the recommendations within the Local Government Group Guidance document "Fire safety in purpose built flat blocks"; and
- (6) That a joint working approach to fire safety risk assessments in flat blocks with Harlow District Council be further explored by the Director of Housing and reported back to a future meeting of the Cabinet.

8. LEADER LODGE, NORTH WEALD - FUTURE USE

Decision:

- (1) That the outcome of the Planning for Real Exercise, undertaken by Hastoe Housing Association on behalf of the Council, for the future use of the Council-owned building and associated land at Leader Lodge, North Weald be noted;
- (2) That Leader Lodge and the associated land be sold on the open market for private housing by the Council's Estates and Valuations Division, through the invitation of tenders for purchase;
- (3) That, following the refusal of the Council's previous planning application at the site in 2006 and other reasons set out in the report, planning permission for an alternative development on the site not be sought by the Council prior to its sale;
- (4) That, in respect of the open market sale of the site:
- (a) prospective purchasers be invited to provide either one or two tenders, and be required to state their intentions within their tender(s)

on whether the tender(s) was based on the existing Leader Lodge building being retained (with or without additional development) or demolished;

(b) the Housing Portfolio Holder be authorised to accept the most appropriate tender received, which shall be either;

(i) the highest tender received based on Leader Lodge being retained;

OR

(ii) the highest tender received based on Leader Lodge being demolished;

(c) the Housing Portfolio Holder not be required to accept the highest tender overall;

(d) if the accepted tender was based on the proposed retention of Leader Lodge, a covenant be included in the sale requiring that the building shall not be demolished; and

(e) in any event, a covenant be placed on the site restricting its future development for residential purposes only;

(5) That all potential purchasers be provided with a copy of the Planning for Real Report and be advised of the matters the Housing Portfolio Holder would take into account when considering any tenders received;

(6) That the site be sold as soon as reasonably practicable; and

(7) That the capital receipt from the sale of the site be ring-fenced for use as a cross-subsidy for the Council's own new Housebuilding Programme, if required.

9. HRA FINANCIAL PLAN

Decision:

(1) That the changes to the Housing Revenue Account (HRA) Financial Plan since the Indicative Financial Plan was considered by the Cabinet in December 2011 be noted;

(2) That the latest version of the HRA Financial Plan, as attached to the report, be adopted and included within the HRA Business Plan 2012/13;

(3) That the HRA Financial Plan be formally reviewed and updated by the Director of Housing and Director of Finance & ICT with the Council's HRA business planning consultants, CIHConsult, on a quarterly basis, in order to identify any material variances and any required resultant action at an early stage;

(4) That the Housing Scrutiny Panel be requested to review and update the HRA Financial Plan at its scheduled meeting in October 2012 and, thereafter, twice a year, at its scheduled meetings in:

(a) March - after the HRA Budget had been agreed by Council, and as part of the updating process for the HRA Business Plan; and

(b) October - to inform the Cabinet and the HRA budget process for the following year; and

(5) That Contract Standing Order C4 be waived and CIHConsult be engaged to act as the Council's HRA Business Planning Consultants until 31 March 2015 (subject to satisfactory price and performance) to ensure a continuity of service and knowledge.

10. HOUSING REVENUE ACCOUNT - SELF-FINANCING

Decision:

(1) That the borrowing of £185.5million to finance the payment to the Department for Communities and Local Government for Housing Revenue Account (HRA) Self-Financing be approved;

(2) That the additional borrowing above the HRA Capital Financing Requirement (CFR) be retained within the HRA to finance, in order to maintain the flexibility in the HRA capital programme to carry out the enhanced programme on the housing stock and to allow for any expansion in the new build programme;

(3) That an amended Treasury Management Strategy Statement be presented to the Finance & Performance Management Cabinet Committee on 19 March 2012, and subsequently Council on 27 March 2012, for approval;

(4) That the proposed debt portfolio of £185.5million be borrowed entirely from the Public Works Loans Board (PWLB);

(5) That, in accordance with the Treasury Management Strategy currently adopted by the Council, the charge for any General Fund (GF) borrowing from the Housing Revenue Account (HRA) be based on the investment rate;

(6) That the actual debt portfolio be decided by the Finance & Economic Development Portfolio Holder and the Director of Finance & ICT, after considering advice from Arlingclose (the Council's Treasury Management Advisors); and

(7) That the Chairman of Council be requested to waive the call-in arrangements for this decision due to its urgency as any delay would prejudice the Council's interest.

11. DEVELOPMENT AGENT FOR COUNCIL HOUSEBUILDING PROGRAMME - PRE-QUALIFICATION QUESTIONNAIRE

Decision:

(1) That, attached as an Appendix to the report and required under EU Procurement Regulations, the Pre-Qualification Questionnaire (PQQ) for the appointment of the Council's Housing Development Agent be approved.

12. DELIVERING THE ENHANCED MAINTENANCE PROGRAMME - HOUSING ASSETS RESTRUCTURE

Decision:

(1) That, as detailed in Appendix 3 of the report, the proposed new structure for the Housing Assets Section to maintain the Council's housing stock to a more modern standard, as previously agreed by the Cabinet, be agreed subject to Job Evaluation and incorporating the following new or additional posts:

(a) One additional full-time equivalent (fte) Clerical Assistant post (benchmarked);

(b) Two new fte Clerk of Works posts (Job Evaluation required);
and

(c) One new fte Contracts Officer (Electrical Contracts) post (Job Evaluation required);

(2) That the new posts be advertised both internally and externally simultaneously;

(3) That any surplus budget remaining from the allowance for staff costs included in the HRA Financial Plan be set aside for the appointment of Consultants who might be needed to assist with any peaks in workload that could not be managed in-house; and

(4) That the budget provision for the appointment of consultants under (3) above be reviewed by the Housing Scrutiny Panel as part of its periodic review of the HRA Financial Plan.

13. REVIEW OF SOCIAL HOUSING FRAUD SCHEME

Decision:

(1) That the review of the Council's Social Housing Fraud Pilot scheme by the Housing Scrutiny Panel be noted; and

(2) That the existing temporary part-time post of Housing Officer (Social Housing Fraud) be made both permanent and full-time with immediate effect, with the increased costs being funded from the Housing Revenue Account.

14. USE OF POTENTIAL CAPITAL RECEIPT - PROPOSED AFFORDABLE HOUSING DEVELOPMENT AT MILLFIELD, HIGH ONGAR

Decision:

(1) That, subject to the receipt of planning permission, the capital receipt from the provision of a 125-year lease to Hastoe Housing Association for the Council-owned site to the rear of 25-29 Millfield, High Ongar be ring-fenced for use as a cross-subsidy for the Council's own new Housebuilding Programme, if required, and not be used to provide local authority social housing grant to a housing association as previously agreed.

15. PUBLIC RELATIONS & INFORMATION SERVICE

Decision:

(1) That, subject to the successful completion of negotiations, authority be delegated to the Support Services Portfolio Holder for the transfer of the provision of Epping Forest District Council's satellite information services in Loughton and Waltham Abbey to Essex County Council Library Service;

(2) That the issue of 'at risk' of redundancy letters to affected staff and the steps taken to maximise available alternative employment options be noted;

(3) That the cessation of the Service Level Agreement for the provision of Information Services on behalf of Epping Forest District Council by Buckhurst Hill Parish Council be approved; and

(4) That the discussions with Uttlesford District Council to explore the potential for shared Public Relations services be noted and authority be delegated to the Support Services Portfolio Holder to approve a Service Level Agreement in the event of satisfactory negotiations.

16. WALTHAM ABBEY CASH DESK

Decision:

(1) That the Epping Forest District Council cash desk at Waltham Abbey Town Hall be closed ; and

(2) That, as a result of the closure of the cash desk, the provision of a payment kiosk at a suitable location in Waltham Abbey be pursued.

17. PAY POLICY STATEMENT

Decision:

(1) That the Pay Policy Statement be recommended to the Council for approval, subject to the addition of a comment that the car leasing scheme, currently suspended and under review, was likely to change in the future.

18. SMOKE FREE WORKPLACE AND PUBLIC PLACE POLICY

Decision:

(1) That the current Smoke Free Workplace and Public Place Policy be retained;

(2) That all external ashtrays be retained in place;

(3) That advice and support on stopping smoking be made available via Human Resources;

(4) That smoking breaks no longer be permitted in work time and staff who smoke should use their flexi-time to do so; and

(5) That paragraph 3.4 of the current Policy be amended such that, when visiting residents or staff in their homes, council staff be given the discretion to terminate an interview if the interviewee's smoking was an issue.

19. EQUALITY ACT 2010 - EQUALITY SCHEME & OBJECTIVES 2012-15

Decision:

(1) That, subject to the addition of the amendments requested by the Overview & Scrutiny Committee, the Council's Equality Scheme and Equality Objectives for 2012/13 to 2015/16 be agreed.

20. ANY OTHER BUSINESS

Decision:

(1) That in accordance with Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules, the Leader of the Council had permitted the following item of urgent business to be considered following the publication of the agenda:

(a) Supplementary District Development Funding Request – Olympic Torch Relay.

21. SUPPLEMENTARY DISTRICT DEVELOPMENT FUNDING REQUEST - OLYMPIC TORCH RELAY

Decision:

(1) That, to provide funding for the management and public safety of the Olympic Torch, a supplementary District Development Fund estimate in the sum of £15,000 for 2012/13 be recommended to the Council for approval.

