



Epping Forest District Council

DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 23 July 2012

Date of Publication:	31 July 2012
Call-In Expiry:	6 August 2012

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 23 July 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:

Gary Woodhall
Democratic Services Officer
Office of the Chief Executive

Tel: 01992 564470
Email: gwoodhall@eppingforestdc.gov.uk

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 11 June 2012 be taken as read and signed by the Chairman as a correct record.

7. CONSULTATION UPDATE AND TIMETABLE - ST JOHN'S ROAD (EPPING) AREA DEVELOPMENT & DESIGN BRIEF

Decision:

(1) That the Design & Development Brief for the St John's Road area in Epping be reported to the Cabinet and Council meetings scheduled for 10 September and 27 September 2012 respectively.

8. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 25 JUNE 2012

Decision:

Localisation of Council Tax Support

(1) That the report and the key points for decision-making this year be noted;

(2) That work with other Essex local authorities on developing a potential county-wide scheme be continued; and

(3) That the possibility of including a residence qualification in the local scheme be considered;

Corporate Risk Register

(4) That the score for risk 34, Changes to the Benefits System, be increased to Very High Likelihood, Critical Impact (A2);

(5) That the score for risk 3, Potential Difficulty Producing the Local Plan, be increased to High Likelihood, Critical Impact (B2);

(6) That risk 11, Unable to Provide Sufficient Housing for Local People, be amended to reflect the consequence of the New Homes Bonus;

(7) That for risk 29, Gypsy Roma Traveller Provision, the Eviction from Crays Hill vulnerability and associated Trigger and Consequence be removed;

(8) That risk 17, Significant Amount of Capital Receipts, be amended to reflect the fact that the Council was no longer debt free;

(9) That risk 33, Reform of Housing Revenue Account, be amended to reflect the actual debt rather than the anticipated debt;

(10) That further minor wording changes be applied to the Action Plans to ensure the responsible Portfolio Holder was correctly identified;

(11) That the current Tolerance Line on the risk matrix be considered satisfactory and not be amended; and

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

Provisional Capital Outturn 2011/12

(13) That the provisional outturn report for 2011/12 be noted;

(14) That retrospective approval for the under and over spends identified for certain capital schemes in 2011/12 be agreed;

(15) That the unspent capital estimates relating to schemes on which slippage had occurred be carried forward into 2012/13; and

(16) That the retrospective changes to the funding of the capital programme in 2011/12 be approved.

9. LOCAL PLAN CABINET COMMITTEE - 2 JULY 2012

Decision:

(1) That the minutes, and decisions therein, of the Local Plan Cabinet Committee meeting held on 2 July 2012 be noted.

10. ADOPTION OF STANDARD CARAVAN SITE LICENCE CONDITIONS FOR PERMANENT RESIDENTIAL SITES

Decision:

(1) That, following consultation with park home site owners, residents and statutory consultees, and having regard to the previous decision of the Cabinet (C-069-2010/11 refers), the revised 'Standard Park Home Site Licence Conditions for Permanent Residential Sites in the Epping Forest District' – as attached at Appendix 2 of the report - be adopted, including the following clarifications and variations from the Model Standards 2008 for Caravan Sites in England:

(a) That, with regard to closed porches:

(i) Mains-powered, interlinked smoke detection with integral battery back up should be required in all homes that have a closed porch, within 6 months of the date of the site licence, but where home owners prefer battery powered detection, that they be allowed to install battery powered systems provided that they were interlinked, with one alarm being placed in the porch and one in the home, within no more than 6 months; and

(ii) That funding for the home owner's preferred option be offered, whilst available, through C.A.R.E's Handyperson Service to eligible home owners;

(b) That both Porches and Decking be considered as 'structures' for the purposes of Condition 2(iv)(c) of the 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District'. Accordingly, any such new structures that extend more than 1 metre into the separation space shall be of non-combustible construction and there must be a 4.5m clear distance between any such structure and any adjacent park home. However, any porches and decking that contravene this Condition shall be allowed to remain until the park home was eventually replaced; and

(c) That the following definitions be adopted for the purposes of the Conditions:

(i) With regard to fences, the same guidelines that were applied under Planning legislation, in terms of adornments and calculation

methodology, to assess whether the height of fences met the requirements of the Site Licence Conditions; and

(ii) With regard to hedges, that a hedge was *'a number of woody plants, whether capable of growing into trees or not, which are so planted as to be intended to be in line and which, when mature, to be so integrated together as to form a screen or a barrier'*;

(2) That the Director of Housing be authorised to amend the licensing conditions to take account of any alterations to the licensing conditions agreed by the Cabinet on the recommendation of the Housing Scrutiny Panel and any other changes made by the Cabinet itself; and

(3) That, if local authorities were able to charge for park home licensing functions in the future, the Council reserved the right to charge for such functions in line with the relevant statutory legislation in force.

11. COUNCIL HOUSEBUILDING PROGRAMME - LIST OF POTENTIAL DEVELOPMENT SITES

Decision:

(1) That the progress made, and the current position, with the appointment of a Development Agent to manage the Council's Housebuilding Programme be noted;

(2) That the Council-owned garage sites and other housing land with development potential listed at Appendix 2 of the report be separated into a Primary List and a Reserve List according to the following criteria:

Primary List

- (a) all Garage sites with vacancy rates of 20% or more as at 1 July 2012;
- (b) the 5 small areas of Council-owned land identified as having development potential; and
- (c) the 1 (currently) garage site with structural problems which would be expensive to repair;

Reserve List

- (d) small garage sites (i.e. comprising 6 or less garages), with no current vacancies, but that had been difficult to let in the past; and
- (b) all garage sites with more than 6 garages, vacancy rates of less than 20% as at 1 July 2012 and no waiting list;
- (3) That detailed development and financial appraisals be undertaken by the Development Agent, once appointed, for those sites on the Primary List;
- (4) That sites on the Reserve List be promoted to the Primary List, and that detailed development and financial appraisals also be undertaken for these sites by the Development Agent, if the percentage of vacant garages within the site increased to 20% or more;
- (5) That garage sites be retained on the Primary List, even if their vacancy rates fell below 20% in the future;

(6) That the proposed methodology for determining the order in which the detailed development appraisals should be undertaken, and the subsequent development of sites to be taken forward, be included within the Development Strategy to be approved by the Cabinet in due course;

(7) That, subject to the Cabinet's approval at a later date, detailed development and financial appraisals be undertaken by the Development Agent for any other sites on the Reserve List if:

(a) there were insufficient numbers of properties that could be viably developed from the Primary List to deliver a Housebuilding Programme of 120 new homes over a six-year period; or

(b) the Cabinet subsequently decided to increase the size of the Housebuilding Programme and there were insufficient numbers of properties that could be viably developed to deliver a larger Programme;

(8) That further initial development assessments be undertaken over time by either Officers or the Development Agent, with further reports submitted to the Cabinet (as appropriate) once a number of such initial assessments had been undertaken to consider whether or not these sites should be added to either the Primary List or Reserve List, of:

(a) all other garage sites comprising 6 or less garages;

(b) any further garage sites that started to have vacancies with no waiting list; and

(c) any Council-owned land on housing sites considered to be surplus to requirements; and

(9) That the Council's garage sites at Vere Road and Burton Road, Loughton be excluded from consideration for inclusion within the Housebuilding Programme for the time being, so that they could be considered as part of the wider regeneration proposals for The Broadway, Loughton, in accordance with the adopted Design and Development Brief for the area.

12. LOCALISATION OF COUNCIL TAX SUPPORT

Decision:

(1) That a general principle of Local Council Tax Support being cost neutral for the Council be agreed;

(2) That the following elements of the scheme be approved for consultation purposes:

(a) protection for pension age claimants to ensure their Council Tax support under the new scheme would not be less than the Council Tax Benefit currently being received; and

(b) the amount of support to working age households be reduced by the principles of the Essex-wide framework and the following local measures:

(i) the calculation of support to be based on 80% of the Council Tax bill rather than 100% as at present;

- (ii) the calculation of support to be based on a maximum of a band 'D' property;
 - (iii) the inclusion of child maintenance in the calculation with a disregard of £15 per week per family;
 - (iv) a reduction in the period of backdating (with good cause) from the current six months to three months; and
 - (v) the introduction of an exceptional hardship scheme to support those people for whom their increased Council tax liability arising from their individual circumstances was causing exceptional difficulty;
- (3) That the following potential options for incorporation in the scheme be included as part of the consultation process:
- (a) a flat rate non-dependent deduction be included in the calculation instead of the varying rates currently used to calculate Council Tax Benefit;
 - (b) the inclusion of Child Benefit in the calculation of support;
 - (c) a minimum award of £1 per week to reduce administration costs; and
 - (d) protection from a reduction in support for certain groups such as the disabled or families with children under five years of age;
- (4) That the Council's participation in the six week county-wide consultation exercise, commencing on 1 August 2012, be agreed; and
- (5) 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.

13. EXTENSION OF INSURANCE CONTRACT

Decision:

- (1) That the option of a two-year extension on the current three-year agreement with Zurich Municipal for the Council's insurance policies be exercised.

14. FIXED PENALTY NOTICES FOR WASTE RECEPTACLES

Decision:

- (1) That the level of fixed penalty for offences relating to domestic waste receptacles be set at the statutory default level of £60;
- (2) That the discounted fixed penalty for early payment be set at the statutory minimum level of £40;
- (3) That the level of fixed penalty for offences relating to trade/commercial waste receptacles be retained at the statutory default level of £100;
- (4) That all other policies and payment processes relating to fixed penalty notices be retained as agreed by Cabinet at its meeting on 1 February 2010 (minute 130 refers); and

(5) That changes to the fixed penalty notices for domestic waste receptacles be advertised locally and on the Council's website.

