



Epping Forest District Council

DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 3 December 2012

Date of Publication:	11 December 2012
Call-In Expiry:	17 December 2012

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 3 December 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 22 October 2012 be taken as read and signed by the Chairman as a correct record.

7. COMMUNITY RIGHT TO CHALLENGE POLICY

Decision:

(1) That the draft policy, attached at Appendix 1 to the report, setting out the District Council's approach to the Community Right to Challenge be approved; and

(2) That the proposed website content and pro-forma, attached at Appendices 2 and 3 to the report, be approved for use in the Community Right to Challenge process.

8. COUNCIL HOUSEBUILDING PROGRAMME - APPOINTMENT OF DEVELOPMENT AGENT

Decision:

(1) That East Thames Group be appointed as the Development Agent for the Council's Housebuilding Programme and awarded a contract for four years (with the option to extend for three further years), being the most economically advantageous tender received on the basis of the Cabinet's previously-agreed Selection Criteria with a Tender Sum of £1,582,500;

(2) That Orbit Homes (2010) Ltd be selected as the Council's Reserve Tenderer and that, should it not be possible to enter into a contract with East Thames Group for some reason, Orbit Homes (2010) Ltd be appointed as the Council's Development Agent for its Council Housebuilding Programme and awarded a contract for four years (with the option to extend for three further years), being the second most economically advantageous tender received, with a Tender Sum of £1,622,000; and

(3) That a new Council Housebuilding (Development Appraisal) Cabinet Committee be established through a Leader of Council's Decision in accordance with the Council's Constitution, and that the Terms of Reference and Membership be reported to a meeting of the full Council in due course.

9. DOG CONTROL ORDERS

Decision:

(1) That the results of the Council's Dog Control Orders consultation carried out between 2 August and 2 October 2012, in response to the decision by the Cabinet on 23 April 2012 (Report Ref C-073-2011/12) be noted;

(2) That, in light of the results of the consultation, the three proposed Dog Control Orders be adopted by the Council in principle, subject to confirmation of the final wording by the Director of Environment & Street Scene, making it an offence for a person in charge of a dog on any public land within the District to:

(a) fail to remove dog faeces deposited on any public land;

(b) fail to put a dog on a lead when directed to do so by an authorised officer, on any public land within the District; and

(c) fail to limit the number of dogs which a person takes onto public land within the District to no more than four; and

(3) That signs advertising any Dog Control Order across the District not be installed as part of the adoption process but the details of any Dog Control Order be published as required.

10. HOMELESSNESS PREVENTION SERVICE

Decision:

(1) That, in addition to the Council's current expenditure of £30,000 per annum, £60,000 per annum of the (£113,000 per annum) grant received as part of the Council's Local Government Grant settlement specifically for homeless prevention measures for the next two years, be used to continue to fund the full cost of staffing the existing Homelessness Prevention Service in 2013/14 & 2014/15;

(2) That the remaining unallocated grant funding of £53,000 per annum be used each year in 2013/14 & 2014/15 as follows:

(a) in accordance with the Welfare Reform Mitigation Action Plan already adopted by the Cabinet, the appointment of 1 FTE additional Homelessness Prevention Officer on a temporary basis for two years at a cost of around £28,500 per annum including on-costs in order to respond to the anticipated increased numbers of homelessness applications;

(b) in accordance with the Welfare Reform Mitigation Action Plan, £7,000 in 2013/14 and £3,500 in 2014/15 be used to meet the non Housing Revenue Account contribution for two temporary full-time paid Debt Advisors for Epping Forest Citizens Advice Bureau, to avoid the need for a contribution from the General Fund; and

(c) in order to assist homeless applicants in securing private rented accommodation, an additional £17,500 in 2013/14 and £21,000 in 2014/15 be made available for the Council's Rental Loan Scheme.

11. TECHNICAL REFORMS OF COUNCIL TAX

Decision:

(1) That, subject to the Finance & Technology Portfolio Holder in consultation with the Leader of Council being satisfied that the offer from the major preceptors was acceptable, the following changes to the Council Tax discounts be implemented with effect from 1 April 2013:

(a) a discount of 5% be received by properties under Section 11A of the Local Government Finance Act 1992 and which fall within Class B of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 classified as unoccupied and furnished (Second Homes);

(b) a discount of 50% for twelve months be received by properties in need of major repair as defined under Section 11A(4A) of the Local Government Finance Act 1992 and which fall within Class D of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003;

(c) a discount of 100% for a period of three months and a discount

of 0% thereafter be received by properties which were unoccupied and substantially unfurnished as defined under Section 11A(4A) of the Local Government Finance Act 1992 and which fall within Class C of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003; and

(d) a Council Tax premium of 50% be charged for properties which had been empty for a period in excess of two years as defined under Section 11B of the Local Government Finance Act 1992; and

(2) That, should the negotiations with the major preceptors not reach a satisfactory conclusion in time, the current Council Tax discounts be retained for a further twelve months.

12. OFF STREET PARKING SCHEMES REVIEW

Decision:

(1) That the revised ranking table for future off-street parking schemes, attached at Appendix 1 to the report, be agreed;

(2) That the outcome of the post-construction review of the schemes at Colebrook Gardens in Loughton, School Lane in Abbess Roding, and Hillcroft in Loughton be noted;

(3) That a planning application be submitted for the schemes at Barfields Gardens in Loughton and Avenue Road in Theydon Bois;

(4) That, following the completion of the off-street parking schemes at Chester Close in Loughton, Harvey Gardens in Loughton and Audley Gardens in Loughton, and subject to planning approval being granted, Wedge Civil Engineering Ltd be instructed to continue with the construction of the next two schemes, which the Cabinet had already agreed be progressed up to, but not including, the Planning stage at:

(a) Barfields Gardens in Loughton; and

(b) Avenue Road in Theydon Bois;

(5) That a detailed feasibility study be undertaken on the top six schemes on the revised ranking table at Centre Avenue/Green in Epping, Parndon House in Buckhurst Hill, Harveyfields in Waltham Abbey, Collard Green in Loughton, Grosvenor Close in Loughton and Gravel Close in Chigwell Row and that planning applications be submitted and they be constructed, subject to:

(a) the successful grant of planning consent;

(b) the average cost per bay being no more than £5,000; and

(c) the works and fees being able to be delivered within the existing Capital Programme budget; and

(6) That the scheme at Wormingford Court in Waltham Abbey be retained on the priority list pending a change in its circumstances in the future.

13. REVIEW OF CAR LEASING SCHEME

Decision:

- (1) That the current Car Leasing Scheme be amended as follows:
 - (a) Employees on the current scheme would be allowed one further lease of 3 years, after which the scheme would close without further compensation;
 - (b) The Council would make its contribution based on a maximum of £4,000 per annum including insurance with all costs over the maximum to be met in full by the employee;
 - (c) The Council's contributions would be capped as follows:
 - (i) Year 1 – 70%;
 - (ii) Year 2 - 60%; and
 - (iii) Year 3 – 50%;

(N.B. These reducing contribution rates were the upper limits. Employees who currently qualify for the lower rates of Council contribution would retain their current rate and would be unaffected until the cap fell below their current rate.)

 - (d) Any employee who claimed 5,000 or more business miles per annum would not be subject to the contribution rates above but would remain on their current contribution rate of 15% with the Council making its contribution on the first £4,000 per annum;
 - (e) Where an accident or theft occurred any hire car costs would be met by the insurer, subject to paragraph 11(c) of the report;
 - (f) Where a hire car was required for any other reason the employee would be responsible for the cost; and
 - (g) The employee would be responsible for all outstanding contributions and costs if they wished to return the car early (including the Council's costs);
- (2) That a Green Car Salary Sacrifice Scheme be implemented with the following key features:
 - (a) The Scheme be cost neutral to the Council with no contribution towards the cost of an employee's lease payments;
 - (b) The Scheme be open to all employees, subject to paragraph 28 of the report;
 - (c) The car list be restricted to vehicles with emissions of 120g/km or less;
 - (d) The scheme would cover vehicle road tax, routine maintenance, reasonable repair costs, insurance, homestart/recovery breakdown, roadside assistance and replacement vehicle in qualifying circumstances;

- (e) Early Termination fees:
 - (i) In cases of redundancy the Council would include any early termination payments in the business case for the redundancy; and
 - (ii) If the employee decided to resign or retire from the Council they could either purchase the car or would be liable for all early termination costs; and
- (f) The Council would use the 'saved' employer's national insurance and pension contributions to build a contingency fund to cover any payments required due to an employee's maternity/paternity/adoption leave; and
- (3) That the verbal report from the Chairman of the Joint Consultative Committee presenting comments from the Committee and staff regarding the proposals be noted.

14. PARKING REVIEWS

Decision:

- (1) That the lessons learnt from the recently completed parking review in Epping be applied to improve the outcomes of the Buckhurst Hill and Loughton Broadway reviews;
- (2) That the Buckhurst Hill Parking Review be targeted at addressing specific areas rather than an area wide review; and
- (3) That the County Council's Highways Strategic Transformation contract be utilised to deliver the remaining parking reviews.

15. CORPORATE PLAN 2011-15 - KEY OBJECTIVES PROGRESS 2012/13

Decision:

- (1) That the progress in relation to the achievement of the Council's Key Objectives for 2012/13 for the first six months of the year be noted.

16. EQUALITY MONITORING POLICY & GUIDANCE

Decision:

- (1) That the Council's responsibility to use equality information in decision making and service planning and provision be noted; and
- (2) That the proposed Equality Monitoring Policy and Guidance 2012 be adopted.

17. PROSECUTION OF CASTERBRIDGE NURSERIES

Decision:

- (1) That a supplementary District Development Fund estimate for 2012/13 in the sum of £40,000 be recommended to the Council for approval to cover the remaining estimated costs of the prosecutions relating to the prosecution

of Casterbridge Nurseries.

18. DRAFT CALENDAR OF COUNCIL MEETINGS 2013/14

Decision:

(1) That, as attached at Appendix 1 to the report, the draft Calendar of Council Meetings for 2013/14 be recommended to the Council for adoption, subject to the following amendments:

(a) reviewing the date of Area Plans Sub-Committee South on 4 September 2013 to avoid a clash with the Jewish festival of Rosh Hashanah; and

(b) reviewing the date of Council on 6 August 2013.

19. TOWN CENTRE INITIATIVES

Decision:

(1) That the observations made regarding the current situation on high streets within the District be noted;

(2) That a one-off District Development Fund sum of £35,000 be allocated in 2013/14 to deliver additional support to the District's town centres, which would involve activity both in individual town centres as well as broader District-wide initiatives; and

(3) That a District Town Team Taskforce be assembled to lead on town centre matters, including:

(a) the allocation of funds to individual Town Centre Partnerships (TCPs);

(b) to champion the needs of the District's high streets;

(c) to coordinate and promote activity right across the District;

(d) to innovate and test new ideas; and

(e) to share learning with the other partnerships.

20. CCTV BUDGET PROVISION

Decision:

(1) That £25,000 per annum of the existing CCTV revenue budget be reallocated to the capital programme;

(2) That the current network of CCTV cameras which cover the High Road in Loughton be renewed and restructured to extend the system northwards to cover the shopping parades both sides of the High Road between Brooklyn Avenue and Traps Hill;

(3) That, in order to finance recommendation (2) above, a capital budget of £45,000 be approved in 2012/13 consisting of the following elements:

(a) the virement of £15,000 from the remaining Loughton

Broadway CCTV capital budget;

(b) the use of £14,000 of Loughton related Section 106 monies already received;

(c) £6,000 from the reallocated capital budget identified in (1) above; and

(d) a supplementary capital estimate in the sum of £10,000 to be recommended to the Council for approval;

(4) That a further £15,000 per annum capital provision from 2013/14 onwards be approved to provide a total capital provision of £40,000 per annum.

21. DISASTER RECOVERY UPDATE

Decision:

(1) That the update report on the ICT Disaster Recovery (DR) Project be noted; and

(2) That the highest priority should be given to the telephony project be confirmed.

22. 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) Finance & Performance Management Cabinet Committee – 22 November 2012.

23. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 22 NOVEMBER 2012

Decision:

Fees and Charges 2013/14

(1) That the use of the September Retail Price Index level (2.6%) as a guide for any proposed increases to the Council's fees and charges for 2013/14 be agreed;

(2) That the proposed fees and charges for 2013/14, as set out in the Appendices attached to the Cabinet Committee report, be approved; and

(3) That the retention of fees and charges in relation to Council-owned car parks at their current levels for 2013/14 be approved; and

Risk Management – Corporate Risk Register

(4) That Risk 16, Performance Management, be deleted;

- (5) That Risk 31, London 2012 Olympic Disruption, be deleted;
- (6) That Risk 33, Reform of Housing Revenue Account, be amended to remove the trigger 'CLG ignores representation';
- (7) That the Vulnerability for Risk 35, Budget Reductions, be amended to reflect the requirements of the current Medium Term Financial Strategy;
- (8) That the rating for Risk 15, Sickness Absence, be reduced to a score of D3 (Low Likelihood/Marginal Impact);
- (9) That the current tolerance line on the risk matrix be considered satisfactory and not be amended; and
- (10) That, incorporating the above agreed changes, the amended Corporate Risk Register be approved.

