

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 3 December 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 9.45 pm

Members Present: C Whitbread (Chairman), Ms S Stavrou (Vice-Chairman), R Bassett, W Breare-Hall, Mrs A Grigg, D Stallan, H Uikun, G Waller and Mrs E Webster

Other Councillors: K Avey, L Girling, Ms J Hart, Ms H Kane, J Knapman, Mrs M McEwen, R Morgan, J Philip, Mrs M Sartin, Ms G Shiell, Mrs L Wagland, Mrs J H Whitehouse, D Wixley and J Wyatt

Apologies: -

Officers Present: D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), J Gilbert (Director of Environment and Street Scene), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), P Maddock (Assistant Director (Accountancy)), P Maginnis (Assistant Director (Human Resources)), D Newton (Assistant Director (ICT)), J Nolan (Assistant Director (Environment & Neighbourhoods)), R Pavey (Assistant Director (Revenues)), P Pledger (Assistant Director (Property and Resources)), R Wilson (Assistant Director (Operations)), T Carne (Public Relations and Marketing Officer), J Houston (Local Strategic Partnership Manager), C Overend (Policy & Research Officer), R Rose (Senior Lawyer), I White (Forward Planning Manager), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

68. WEBCASTING INTRODUCTION

The Leader of the Council made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

69. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor R Bassett declared a personal interest in agenda item 22, Disaster Recovery Update, by virtue of the nature of his employment. The Councillor had determined that his interest was not pecuniary and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Officer Code of Conduct, I Willett declared a personal interest in item 9, Council Housebuilding Programme – Appointment of Development Agent, by virtue of renting a garage from the Council. The Officer had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Officer Code of Conduct, D Macnab, B Palmer, P Maddock, D Newton, J Nolan, R Pavey, P Pledger, R Wilson, T Carne and C Overend declared a personal interest in item 14, Review of Car Leasing Scheme, by virtue of being members of the scheme. The Officers had determined that their

interest was not prejudicial and would remain in the meeting for the consideration of the issue.

70. MINUTES

Resolved:

(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.

71. REPORTS OF PORTFOLIO HOLDERS

Finance & Technology

The Portfolio Holder reported that the introduction of new regulations regarding local support for Council Tax and the effect this would have on Council Tax Bases had concerned a number of the Local Councils within the District. An initial assessment by Officers had indicated that the Council Tax Support Grant received by the Council from the Government would offset the reduction in Council Tax Base for both the District Council and Local Councils, and that Local Councils would not be financially worse off. The final figure for the Local Council Tax Support Grant would be confirmed in late December, and the Portfolio Holder had requested an extra Cabinet meeting to be scheduled in early January 2013 to agree the sharing of the Support Grant between the District and Local Councils.

72. PUBLIC QUESTIONS

The Cabinet noted that there had been no public questions received for consideration at the meeting.

73. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that the following items of business had been considered at its meeting held on 27 November 2012:

- (a) the noting of the progress made after six months in achieving the Council's key objectives for 2012/13; and
- (b) the reviewing of the work programmes for all the Scrutiny and Task & Finish Panels.

The Committee had also received the annual presentation from the Youth Council about the work it had undertaken during the last year and a request for their annual District Development Fund allocation of £12,000 in the 2013/14 budget. The Committee was impressed with the performance of the Youth Councillors present and the work carried out by the Youth Council during the year. The Committee felt that the allocation of funding for the Youth Council should be transferred to the Continuing Services Budget, and wished to recommend its inclusion in the draft Budget Growth List for 2013/14, to be considered by the Cabinet later in the meeting.

The Cabinet's agenda was reviewed and there were two points raised by Members. Firstly, the Chairman of the Housing Scrutiny panel wished to endorse the report regarding the Council's Housebuilding Programme. Secondly, the Committee was concerned that the Budget Setting meeting of the Council had been scheduled to take place during half-term week in February 2014.

The Portfolio Holder for Leisure & Wellbeing stated her support for the proposal for the Youth Council to be funded from the Continuing Services Budget in future. The Leader of the Council praised the Youth Council for their presentation, and that their funding request would be considered.

Resolved:

- (1) That the report from the Chairman of the Overview & Scrutiny Committee be noted; and
- (2) That the request from the Overview and Scrutiny Committee for the Youth Council to receive Continuing Services Budget funding in future be considered as part of the budget setting process.

74. COMMUNITY RIGHT TO CHALLENGE POLICY

The Leader of the Council presented a report on the introduction of the Council's Community Right To Challenge Policy.

The Leader reported that Chapter 5 (Section 2) of the Localism Act 2011 provided the legislative framework for the Community Right to Challenge, which allowed relevant bodies to express an interest in running a local authority service. Local authorities were required to consider those expressions and, if they were acceptable under the terms of the legislation, to run a full procurement exercise in respect of the service. The proposed policy, attached to the report, had set out a procedure in that regard.

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.

Reasons for Decision:

To ensure that the Council met its obligations under Chapter 5 (Section 2) of the Localism Act 2011 and to ensure it was in a state of readiness when a group submitted an expression of interest in running a Council service.

Other Options Considered and Rejected:

None, as this was a statutory requirement for the Council.

75. COUNCIL HOUSEBUILDING PROGRAMME - APPOINTMENT OF DEVELOPMENT AGENT

The Housing Portfolio Holder presented a report on the appointment of a Development Agent for the Council's Housebuilding Programme.

The Portfolio Holder reminded the Cabinet that it had previously agreed to appoint a Development Agent to provide all development, project management and professional building services for the Council's new Housebuilding Programme. The Cabinet had also agreed the terms of the appointment and the Selection Criteria to

be used to determine the most economically advantageous tender, at both the Pre-Qualification Questionnaire (PQQ) Stage and the Tender Stage.

The Portfolio Holder reported that, following the PQQ process, six suitably experienced organisations had been invited to tender for the Council's Development Agency Service. Two tenderers withdrew during the Tender Period, and four tenders were received by the Closing Date. The price and quality of the tenders had been evaluated using the Cabinet's agreed Selection Criteria, which included the provision of formal Presentations by each of the tenderers to the Selection Panel, previously appointed by the Cabinet, comprising Members and Officers. The recommendation of the Selection Panel was that East Thames Group be appointed as the Development Agent and awarded a four-year contract. Their bid of £1,582,500 was considered the most economically advantageous to the Council. Should it not be possible to enter into a contract with East Thames, then the Panel recommended that Orbit Homes (2010) Ltd be selected as the reserve candidate as their bid of £1,622,000 was considered the second most economically advantageous to the Council.

The Portfolio Holder apologised for the tabling of an addendum report at the meeting. The Cabinet had previously agreed a list of 58 potential development sites in the Council's ownership across the District for the Council Housebuilding Programme. The appointed Development Agent would undertake detailed development and financial appraisals for each of these sites, to determine whether or not they had development potential and were financially viable. Each of these appraisals would need to be considered, and a decision made about whether to proceed to submitting a planning application for each particular site. It was felt that this should be undertaken by Members, on the advice of Officers and the Development Agent. Therefore, it was proposed that a new Cabinet Committee be established, through a Leader Delegated Decision, to consider all of the development and financial appraisals that would come forward, with delegated authority to determine the sites for which detailed planning applications should be submitted. It was felt that the formation of a Cabinet Committee for this purpose - that met as and when required - would provide a suitable forum at which ward members could express their views.

There was some concern expressed at the relatively low scores received for Risk Management by the both the preferred and reserve bidders. The Council Housebuilding Programme was scheduled to take a number of years to complete and would involve significant financial exposure for the Council. The Assistant Director of Housing (Property) stated that a score of '3' was considered adequate, and that only Mace Limited had scored a '4' for this category. It was suggested that the Council could incorporate some of the elements from the Mace approach to the project to further mitigate the risks involved.

The Portfolio Holder reiterated that the ward Members for the sites considered at each Cabinet Committee meeting would be invited to attend, and that residents would be notified of any planning applications that resulted as normal. In addition, as previously agreed by the Cabinet, only under occupied Council-owned garage sites would be considered for re-development and that the effected tenants would be notified. The Assistant Director informed the Cabinet that East Thames Group had been allocated funding from the Homes & Communities Agency, but this had already been allocated to other projects that the Group was involved in.

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.

Reason for Decision:

The Council had previously agreed that the appointment of a Development Agent should be based on the most economically advantageous tender.

The establishment of a Cabinet Committee to consider each potential site would allow ward Members to express their views before a final decision to submit a planning application was made.

Other Options Considered and Rejected:

To not make an appointment and undertake another tender exercise. However, as the tender exercise had been subject to the EU procurement rules, the Council could be legally challenged if it did not appoint a tenderer that had satisfied the pre-determined Selection Criteria.

76. DOG CONTROL ORDERS

The Environment Portfolio Holder presented a report on the introduction of Dog Control Orders within the District.

The Portfolio Holder reminded the Cabinet that on 23 April 2012 (C-073-2011/12) it had resolved to carry out a public consultation process on the introduction of Dog Control Orders in respect of dog fouling, putting and keeping a dog on the lead when directed to do so by an authorised officer, and limiting the number of dogs which a person may take onto any public land to four. A large majority of respondents were in favour of the three Control Orders as proposed and it was felt that the right balance had been struck between the need to ensure proper control and the freedom of dog owners.

The Portfolio Holder stated that there was a need for the proposed Dog Control Orders because of the existing lack of control on Corporation of London land, amounting to 1689 hectares (4172 acres) of forest land within Epping Forest (and a further 739.5 hectares (1827 acres) of buffer land, some of which was publicly accessible) which could be effectively addressed through the adoption of the three proposed Orders. Officers had considered that the District-wide adoption of the orders was sensible in order to ensure consistency and equity. If the Council did not adopt the proposed orders then the Corporation of London could seek to do so on their own land (under their secondary authority status), which would lead to inconsistency across the District, with different laws controlling dog fouling and

different requirements on Corporation of London land compared with the rest of the District regarding the maximum number of dogs and dogs being kept on a lead when requested by an authorised officer.

The Portfolio Holder reassured the Cabinet that adoption of the Dog Control Orders as proposed would affect residents, owners and other people in control of dogs over the whole of the District, with potential criminal sanctions for offenders if a particular Order was not complied with. However, in most cases, for a first offence without any exacerbating features, a breach of an Order would be dealt with by way of a fixed penalty, avoiding any criminal sanction if the fixed penalty was paid.

The Cabinet felt that this would also be a good opportunity to remind residents of their other responsibilities with respect to dogs, such as the provisions laid out in the Dangerous Dogs Acts. The Portfolio Holder undertook to investigate this. In respect of the public consultation, the Portfolio Holder advised that a number of bodies had been invited to respond to the public consultation, including Town and Parish Councils, and that the consultation exercise had been advertised via a public notice in the local newspaper and the Council's website.

One of the ward members for Chigwell Village expressed concern with the wording of the proposed Orders, as outlined in recommendation 2. In particular, recommendation (2c) would be better if it was worded "...to be in charge of more than four dogs in total on public land within the District." It would be difficult to prove that a person took more than four dogs onto public land, and would not prevent a person controlling more than four dogs on public land after having taken control of additional dogs once on the public land. It would be better if more straightforward wording was used for this particular Order. The Assistant Director of Environment & Street Scene (Environment & Neighbourhoods) responded that the proposed wording was as laid out in the statutory forms, and it would be extremely difficult to amend the wording as shown.

The ward member for Roydon highlighted a problem with dog fouling in her ward, primarily due to the lack of bins for disposing of dog waste. The Portfolio Holder was requested to emphasise to residents that ordinary waste bins could also be used to dispose of bagged dog waste. The Portfolio Holder stated that he was happy to do this, and that if members informed him of problem areas within the District then the Council might be able to target them to improve matters.

One of the ward members for Chigwell Village pointed out that the proposed wording did not match the wording on the statutory forms for at least two of the Dog Control Orders under discussion. The effect of this would be that the Orders would not be enforceable. Consequently, the Cabinet resolved to agree the Orders in principle, with the final wording to be confirmed by the Director of Environment & Street Scene.

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.

Reasons for Decision:

If the proposed Dog Control Orders were not adopted then the Council could be criticised for not taking reasonable steps to control dogs and prevent the risk of disease related to dog fouling on all publicly accessible land within the District. It would restrict the number of dogs in one person's control on any public areas to a more manageable number of four dogs, and also remove the previous anomaly that meant that there was no dog fouling control on any publicly accessible land owned by the Corporation of London.

To enable officers of the Council, designated officers of the Corporation of London, and Police Community Support Officers (PCSO) ensured the proper control of dogs within the District. The new Orders would also make it an offence not to provide a name and address to an authorised officer enforcing a Dog Control Order, which was not currently the case.

To promote responsible dog ownership, without the need for additional enforcement. In particular, reducing the amount of dog faeces left on public land and reducing the risk of disease.

Other Options Considered and Rejected:

To not adopt any of the proposed Dog Control Orders or only to introduce some of them. However, Officers had made their recommendations based on the benefits of introducing the Orders to fulfil the need to provide reasonable dog control on public land over the whole District and the results of the public consultation exercise.

77. HOMELESSNESS PREVENTION SERVICE

The Housing Portfolio Holder introduced a report on the future funding of the Council's Homelessness Prevention Service.

The Portfolio Holder informed the Cabinet that the Homelessness Prevention Service, introduced in January 2003, had proved to be a great success, bringing about a huge reduction in the level of homelessness acceptances and leading to a high number of people being able to remain in their own homes. The service had also brought significant savings to the General Fund by reducing the number of single homeless applicants who had to be placed in bed and breakfast accommodation as a result. The Council currently employed 1 full-time Senior Homelessness Prevention Officer and 2 full-time Homelessness Prevention Officers. The total cost of these three posts, currently £90,000 in total, was met from Government Grants (£60,000 per annum) and the General Fund (£30,000 per annum). It had been possible to shift the emphasis from homelessness investigation case work to prevention. This had resulted in 2 full-time Homelessness Investigation Officers being seconded to the Homelessness Prevention Team in 2008, which only left a requirement for one

remaining Investigation Officer. However, it was possible that more homelessness case work might be needed in the future, with a resultant change in the overall staffing resource. Therefore, in order to give some flexibility should there be an increase in casework, both aspects of the service would be added in the Job Description of the proposed additional Homelessness Prevention Officer.

The Portfolio Holder reported that, as part of this year's Local Government Grant settlement, the Council had been awarded £113,000 per annum for the next two years (being the same amount received for the previous two years) specifically for the purpose of preventing homelessness. However, as the grant had not been specifically "ring-fenced", the Cabinet was being asked to consider how the grant should be used. A number of homelessness prevention measures had been proposed for the Cabinet to agree.

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.

Reasons for Decision:

To determine how to allocate the Government's Homelessness Prevention Grant.

Other Options Considered and Rejected:

To use only £90,000 of the Preventing Homelessness Grant for the continuation of the Homelessness Prevention Service at its current levels with the remaining £23,000 meeting both the General Fund's contribution for the 2 temporary Debt Advisors for the CAB and a reduced amount for the Council's Rental Loan Scheme. However, it would not be possible to appoint 1 full-time additional Homelessness Prevention Officer to help mitigate the increased homelessness that was expected to arise due to Welfare Reforms, and could result in an increase in bed & breakfast costs potentially in excess of the General Fund's current contribution.

To use £90,000 of the Preventing Homelessness Grant for the continuation of the Homelessness Prevention Service at its current levels. However, there would be no additional funding available for further preventing homelessness initiatives.

To discontinue the Homelessness Prevention Service where the Council would have the full Homelessness Prevention grant available for other reasons, but its costs would increase drastically in other areas of homelessness and would incur staff redundancy costs. Furthermore, should none of the Government's grant be used on homelessness, it is unlikely that the Government would provide funding in 2015/2016 and 2016/2017.

78. TECHNICAL REFORMS OF COUNCIL TAX

The Portfolio Holder for Finance & Technology presented a report regarding technical reforms of Council Tax.

The Portfolio Holder reported that the Local Government Finance Act 2012 contained reforms to Council Tax which provided a number of discretions for Councils relating to second homes, properties in need of major repair, properties which became vacant and properties which had been empty for more than two years. It was originally thought that it would not be beneficial for the Council to implement these changes. However, since the report had been published, a further meeting of the Essex Strategic Leaders Finance Group had taken place on 27 November 2012, and the further negotiations between the major precepting authorities and the District Councils at this meeting had led to a revision of the recommendations, which had been tabled at the meeting.

The Director of Finance & ICT advised that the major preceptors had agreed in principle to share their gains with the District Councils but no proposal was put forward at the meeting. An offer was received by the Council from the major preceptors late on the afternoon of 30 November, but this had generated some questions. Essex County Council had been contacted on the morning of the meeting, but no formal response had yet to be received. However, it was felt that sufficient progress had been made to consider the implementation of the technical changes, as per the revised recommendations before the Cabinet.

The Director stated that the current unsatisfactory situation was primarily caused by late legislation from the Government, and the subsequent late negotiations on how to best implement the new measures. In respect of the revised recommendations, the discount for second homes had been reduced from 10% to 5%. This discount could have been reduced to 0%, but owners of second homes would not then be under an obligation to inform the Council. The discount for properties in need of major repair had been reduced from 100% to 50%, whilst the discount for those properties that were substantially unfurnished and unoccupied had remained at 100% but only for a period of three months rather than the original six months. A new principle had been added whereby any property that had been vacant for more than two years would now be charged an additional Council Tax premium of 50%. This measure was to encourage the owners of such properties to put them back into use and occupation. Finally, it was recommended that authority be delegated to the Portfolio Holder for Finance & Technology, in consultation with the Leader of the Council, to agree the final changes following the conclusion of the negotiations with the major preceptors.

The Portfolio Holder apologised for the late changes to the recommendations, and stated that the process was still ongoing with the Council hoping to negotiate a better offer from the major preceptors. It was envisaged that the negotiations would be

complete by the Council meeting scheduled for 18 December, and that the Portfolio Holder would be able to report their outcome at that meeting.

The Portfolio Holder confirmed that the number of properties affected by these changes throughout the District remained at 541, as outlined in the report. The Assistant Director of Finance & ICT (Revenues) confirmed that Registered Social Landlords were considered Charities and they would be exempt from the regulations in respect of empty properties. The Council's position as a landlord was such that the new regulations would apply, but the vast majority of Council properties did not remain vacant for any length of time. The Housing Portfolio Holder confirmed that only one Council property was currently long-term vacant, in Newmans Lane in Loughton. This situation had arisen due to structural problems with the building and consideration was being given to demolishing the property.

The Director of Finance & ICT stated that if the negotiations with the major preceptors did not reach a satisfactory conclusion then the Council would revert to the current level of discounts for a further twelve months. The Cabinet agreed that this should be the Council's fallback position.

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.

Reason for Decision:

The major precepting authorities had indicated that they would be prepared to share some of the benefits from the new Council Tax regulations if the District Councils were prepared to reduce the discounts currently applied to empty properties and the such like. At a time of great uncertainty over Local Government finance, this would

assist in reducing the risk to the Council as a collecting authority. If no final agreement could be reached with the major precepting authorities then the current Council Tax discounts would be retained for a further twelve months.

Other Options Considered and Rejected:

To retain the Council Tax discounts at their current level, regardless of the offer from the major precepting authorities. However, this would increase the risk to the Council.

To further vary the level of discounts for the properties concerned in 2013/14.

79. OFF STREET PARKING SCHEMES REVIEW

The Housing Portfolio Holder introduced a report on the review of Off Street Parking Schemes.

The Portfolio Holder reported that in April 2011, the Cabinet had approved the tender for the construction of off-street parking schemes at Hillcroft and Colebrook Gardens in Loughton, and School Lane in Abbess Roding. Then in October 2011, the Cabinet had approved the construction of three further off-street parking schemes at Chester Close, Harvey Gardens and Audley Gardens, all in Loughton. The Cabinet also agreed to progress the design of three more schemes at Barfields Gardens, Loughton; Avenue Road, Theydon Bois; and Wormingford Court, Waltham Abbey, subject to a further review by the Cabinet of the success or otherwise of the first schemes constructed, along with the revised ranking table for future schemes.

The Portfolio Holder advised the Cabinet that the schemes at Chester Close and Harvey Gardens had been completed, with the scheme at Audley Gardens due to be completed this month. All of the schemes had been completed on time and within budget. The Council's contractor, Wedge Contracts Limited, had gone into administration in October 2012. However, there had been a management buy-out through a "pre-pack administration" and it had been confirmed that the contract would be honoured. For the scheme at Wormingford Court in Waltham Abbey, Planning Officers had advised that the proposed location was not suitable and would be unlikely to obtain planning consent due to a number of established trees on the site. Consequently, it was proposed that this scheme not be progressed at the current time, and only planning applications for the sites at Barfields Gardens in Loughton and Avenue Road in Theydon Bois be submitted. The estimated total costs for these two schemes was approximately £78,600 for the provision of 17 parking bays. This would leave a budget of £1.9million for future Off-Street Parking Schemes.

The Cabinet was requested to agree the revised ranking table for future off-street parking schemes, as attached to the report, and that the top six ranked schemes be progressed for detailed design, planning consent, and construction subject to the average cost per parking bay not exceeding £5,000 and the programme being delivered within the existing Capital Programme. It was also suggested that the scheme at Wormingford Court in Waltham Abbey retain its current status on the priority list pending a change in circumstances in the future.

In response to queries from the members present, the Portfolio Holder stated that the application for planning consent for the scheme at Avenue Road in Theydon Bois would be made following the expiry of the call-in for this report. It would then be considered by the relevant Area Planning Sub-Committee in the normal way, but the ward members would be kept fully informed of progress with the site. The Assistant Director of Housing (Property) added that work would commence on site shortly after the granting of planning permission, which was expected to take approximately 12

weeks. The Assistant Director agreed to share the responses from Theydon Bois residents with the local ward members, but warned that many of the responses would be negative as residents often expected to be allocated their own parking space, which was simply not possible.

The Portfolio Holder acknowledged that some of the sites had been on the list for a number of years and that consideration could be given to closing the list to allow the current listed sites to be progressed. If this was to happen, then there would be a further report to the Cabinet to agree this. The inclusion of Centre Avenue/Green in Epping was welcomed as the residents had been frustrated by the current situation for a number of years. It was highlighted that Pardon House and Maxwell House were listed as being in Buckhurst Hill when they should be listed as Loughton. The Portfolio Holder stated that Officers would check the location of these sites and amend the ranking list if necessary. The Assistant Director also undertook to review the scores from the Feasibility Study for the site in Torrington Drive, Loughton with the County Council ward member.

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, Pardon 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 Warmingford Court in Waltham Abbey be retained on the priority list pending a change in its circumstances in the future.

Reason for Decision:

To confirm the construction of further off-street parking schemes following the review of the schemes already constructed, and agree the ranking list and the next batch of schemes for progress.

Other Options Considered and Rejected:

To not undertake the construction of further off street parking schemes other than those at Chester Close, Harvey Gardens and Audley Gardens. However, this would not resolve the parking problems across the District recognised during recent parking surveys.

To undertake two further schemes at Barfields Gardens and Avenue Road only, which were already designed and ready to be submitted for planning consent, and to then suspend the remaining programme until further notice. However, once again this would not resolve the parking problems across the District recognised during recent parking surveys

To seek approval from the Cabinet on an annual basis to construct further schemes from the proposed ranking table. However, this could lead to abortive design costs should the programme be subsequently suspended.

80. REVIEW OF CAR LEASING SCHEME

The Support Services Portfolio Holder presented a report on the review of the Council's Car Leasing Scheme.

The Portfolio Holder reported that the Council's Car Lease Scheme had been in existence since 1986 and was set up to assist with recruitment and retention issues facing the Council at that time. The Scheme was available to all full time employees who were designated as essential car users, plus those at Assistant Director level and above. The cost of the current car lease scheme (as at 2010/11) was £293,000 but after taking out support service recharges the actual cost to the Council was £255,000. Of this, approximately two thirds of the cost was met by the General Fund with the remainder being met by the Housing Revenue Account. The cost of leased mileage in 2010/11 was £14,000, and therefore the total cost of the scheme was £269,000.

The Portfolio Holder proposed that the current car leasing scheme be amended as follows:

- employees on the current scheme would be allowed one further lease of 3 years, after which the scheme would close without further compensation;
- 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;
- the Council's contributions would be capped as follows:
 - Year 1 – 70%;
 - Year 2 - 60%; and
 - Year 3 – 50%;(these reducing contribution rates were the upper limits as employees who currently qualified for the lower rates of (Council) contribution would retain their current rate and would be unaffected until the cap fell below their current rate);
- where an accident or theft occurred then any hire car costs would be met by the insurer, subject to certain conditions;

- where a hire car was required for any other reason the employee would be responsible for the cost;
- the employee would be responsible for all outstanding contributions and costs if they wished to return the car early (including the Council's costs); and
- in the main the other terms and conditions of the scheme would remain the same.

The Portfolio Holder stated that the cost to the Council if all the current participants continued on the scheme would be £187,000, £164,000 and £141,000 in years 1 to 3 respectively, with the scheme closing completely in 2016. In addition to amending the current scheme, it was proposed to introduce a Green Car Salary Sacrifice Scheme for all employees. This scheme would be cost neutral to the Council with no contributions towards the cost of the employee's lease payments, and the list of eligible vehicles would be restricted to those with emissions of 120g/km of carbon dioxide or less.

Employees and the trade unions had been formally consulted on the final proposals and the Chairman of the Joint Consultative Committee reported to the Cabinet that the Unions had appreciated that the current scheme had to change and any delays would be counter-productive. Generally, the staff members had been supportive of the new scheme, which gave members of the current scheme the opportunity to lease one further vehicle, and another three years to make alternative arrangements, which could include the proposed Green Car Salary Sacrifice scheme. A concern had been expressed by the Committee that those members of the current scheme who claimed 5,000 business miles or more per annum should not be subject to the proposed decreasing Council contributions in years one, two and three. Following consideration of this issue, it was proposed that these members of the current scheme would remain on their current contribution rate of 15% and the Council would make its contribution on the first £4,000 per annum.

The Assistant Director of Corporate Support Services (Human Resources) confirmed that the final leases under the current scheme would run out in 2013, and if these members took their entitlement to one further lease then the current scheme would end no later than 2016. It was highlighted by one member present that the highest paid employees would still qualify for the biggest discounts. The Leader of the Council thanked all the Officers involved in the review of the current scheme, along with the two former members of the Cabinet who had been members of the review group.

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.

Reason for Decision:

The phasing out of the scheme over 3 years gave eligible employees a very

reasonable notice period in which to make alternative arrangements. The continuation of the scheme as suggested with the Council's contribution totalling a maximum of £7,200 in each case represented the full and final compensation for loss of a financial benefit that was being made by the Council.

The introduction of a Green Car Salary Sacrifice Scheme to all employees at nil cost to the Council would meet recommendation 5.2 of the Council's Green Fleet Review undertaken in 2009.

Other Options Considered and Rejected:

The Cabinet could close the scheme on a phased basis from now (i.e. only running the scheme until the end of the current leases, although it should be noted that a significant number had been extended). However, the Council would need to consider alternative compensation arrangements for employees on the current scheme for the loss of a financial benefit.

The Cabinet could have other amounts for the ceiling and the Council's contributions. However, staff and the trade unions had already been consulted and the current proposal was considered the best option.

The Cabinet could decide to leave the scheme unaltered. However, this option was regarded as unsustainable in the current economic climate.

81. PARKING REVIEWS

The Portfolio Holder for Safer, Greener and Highways presented a report on the area wide parking reviews across the District.

The Portfolio Holder reminded the Cabinet that the Council had committed to implement area wide parking reviews across the District when it held the Highways Agency agreement with the County Council. At the end of the Agency agreement in 2005, a decision was taken to continue implementation of the ongoing schemes. The Cabinet had resolved not to consider any further area wide parking reviews until the current ongoing reviews at Epping, Buckhurst Hill and Loughton Broadway had been completed. The Epping review was now nearly complete, with minor snagging items being finalised and all work would be completed shortly. The Buckhurst Hill review was the next on the schedule and work could now commence on reviewing the scheme proposals prepared after the last public consultation in 2009.

The Portfolio Holder reported that important lessons had been learnt from the Epping review, for example carrying out an area wide review had proven to be very divisive and it had not always been possible to address the often conflicting requirements of residents, commuters, businesses and other road users. It was easier to obtain consensus around local specific issues, for example the creation of small scale resident parking zones or address junctions with perceived safety issues. The County Council was going through a major service change. At the centre of this change was the £3billion Highways Strategic Transformation (HST) contract and the opportunity existed for the Council to take advantage of the larger economies of scale offered by the HST contract. It would be necessary to enter into a new arrangement with the County for the delivery of the remaining parking reviews.

The Portfolio Holder reiterated that the Council was not intending to undertake a wide area review in Loughton Broadway, specific areas would be targeted instead. Constructive work was being undertaken with the local Councillors in Buckhurst Hill regarding the proposed parking review there. The Portfolio Holder made no promises

over timescales, and stated that the parking review in Loughton Broadway would be progressed as quickly as possible, whilst the Council would undertake further consultation with residents before any schemes were started.

Decisions:

- (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.

Reasons for Decision:

To incorporate the lessons learnt in the delivery of the Epping wide area parking review into the implementation of the Buckhurst Hill parking review.

Other Options Considered and Rejected:

To abandon the two remaining parking review schemes resulting in the capital expenditure to date of £142,000 having to be reallocated as revenue. However, besides the financial implications, the Council would be exposed to the reputational risk that it reneged on a commitment.

To ignore the experiences gained from the Epping review and implement area wide reviews in Buckhurst Hill and Loughton Broadway. However, this was unlikely to result in wide spread acceptance and might not deliver a clear improvement for the majority of residents and businesses.

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

The Leader of the Council presented a progress report on the achievement of the Council's Key Objectives for 2012/13.

The Leader reminded the Cabinet that the Corporate Plan was the Council's key strategic planning document, setting out service delivery priorities over the four-year period from 2011/12 to 2014/15, with strategic themes reflecting those of the Community Strategy for the District. The annual identification of key objectives provided an opportunity for the Council to focus specific attention on how areas for improvement would be addressed, opportunities exploited and better outcomes delivered over the coming year. The key objectives were intended to provide a clear statement of the Council's overall intentions for each year, containing specific actions and desired outcomes. A range of key objectives for 2012/13 had been adopted by the Cabinet at its meeting on 30 January 2012. Progress in relation to the achievement of the key objectives was reviewed by the Cabinet and the Overview and Scrutiny Committee on a six-monthly and outturn basis. The report presented the position against the key objectives for 2012/13 at the half-way point of the year.

The status of 'On Track' for Key Objective C02.c – Achieve improvement in the Council's Key Performance Indicators – was queried as the current position indicated only 59% were achieving their target against the stated aim of 70% to achieve their target. The Deputy Chief Executive stated that this was a reflection of the current

position as some indicators would not be calculated until the end of the municipal year.

In respect of Key Objective C01.a – Develop the Council’s Local Plan – assurance was sought that the Council was meeting with other key bodies to ensure that the Local Plan was ‘sound’. The Planning Portfolio Holder stated that numerous meetings had been held with neighbouring authorities and other key bodies, and this had been discussed at meetings of the Local Plan Cabinet Committee. The emphasis for the Local Plan was to get it right, and to this end there would be a further round of consultation on the Council’s preferred options in the Summer of 2013 with a final decision made in late March 2014.

For the proposed residential development at Pyrles Lane in Loughton, the Portfolio Holder for Asset Management & Economic Development reported that the Council had received the results of the Habitat Survey and had had a meeting with the County Council Highways Engineers regarding the current access to the site. A planning application would be submitted and progressed in the very near future and the information regarding the site would be made available to ward members.

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.

Reasons for Decision:

It was important that appropriate performance management processes were in place to review progress against the key objectives, to ensure their continued relevance and achievability, and to identify corrective action in areas of slippage or below-target performance.

Other Options Considered and Rejected:

No other options were appropriate in this respect. Failure to review and report performance against the key objectives and to take corrective action where necessary, could have negative implications for the Council’s reputation and for judgements made about the progress of the authority.

83. EQUALITY MONITORING POLICY & GUIDANCE

The Portfolio Holder for Leisure & Wellbeing presented a report on the proposed Equality Monitoring Policy & Guidance.

The Portfolio Holder reported that the Equality Act 2010 placed a general duty on local authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity between people who shared a relevant protected characteristic and those who did not share it; and
- foster good relations between people who shared a relevant characteristic and those who did not share it.

A relevant characteristic was defined as age, disability, faith or belief, gender reassignment, marriage and civil partnership (discrimination element only), pregnancy and maternity, sex, sexual orientation, and race.

The Portfolio Holder informed the Cabinet that having due regard meant consciously thinking about the aims of the general duty when making decisions, and in developing, planning and providing services, both as a service provider and as an employer. Having due regard also required that public authorities understood the impact of policies and practices on people with protected characteristics. Collecting and analysing equality information was an important way for public authorities to develop this understanding, and to be able to demonstrate that the Council had the right information available to influence its public policy decisions, including which services should be provided, and how.

The Portfolio Holder reminded the Cabinet that the Council had a history of monitoring users of some of its services, and had had an Equality Monitoring Policy in place since 2008. The value to the authority of robust customer and employee equality intelligence gathering systems in being able to meet its equality duties was identified and included in the Equality Objectives adopted by the Cabinet in March 2012. The revised Equality Monitoring Policy and Guidance was key to the Council meeting that Equality Objective and reflected guidance issued by the Equality and Human Rights Commission in relation to equality information and the equality duty.

When asked how much the proposed Equality Monitoring Policy would cost the Council once implemented, the Portfolio Holder undertook to respond to the Member following consultation with Officers.

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.

Reasons for Decision:

To ensure that a corporate approach to equality monitoring was undertaken in a consistent way throughout the Council; that it produced useful information to improve services, inform policy and decision making; and assist in providing sufficient information to demonstrate that the Council understood the impact of policies and practices on people with protected characteristics and thereby assisted the Council to meet its equality duties.

Other Options Considered and Rejected:

To not adopt the Corporate Equality Monitoring Policy and Guidance, or to have a different approach to equality monitoring.

84. PROSECUTION OF CASTERBRIDGE NURSERIES

The Environment Portfolio Holder presented a report requesting additional finance to continue with the prosecution of Casterbridge Nurseries.

The Portfolio Holder reported that, following the death of a child at a local nursery on 7 November 2007 and subsequent consideration of action by the Crown Prosecution Service, the Council had instituted proceedings under the Health and Safety at Work Act 1974 against the Nursery and two individual employees. The subsequent investigation had been long and protracted and, despite the Council seeking to recover costs where it could, the duration of the investigation and subsequent legal action would result in substantial legal costs being incurred. This was currently

estimated as an additional £40,000. Hence, the Portfolio Holder requested that a supplementary District Development Fund estimate be recommended to the Council for approval.

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.

Reasons for Decision:

To make a proper budgetary provision for the costs associated with bringing the case to Court.

Other Options Considered and Rejected:

There was no other available course of action as the costs incurred by the Council would have to be paid.

85. DRAFT CALENDAR OF COUNCIL MEETINGS 2013/14

The Portfolio Holder for Support Services introduced a report on the draft Calendar of Council meetings for 2013/14.

The Portfolio Holder reminded the Cabinet that it considered the calendar of meetings each year prior to its final approval by the Council. The calendar had developed over time to meet the changing needs of the authority and, where possible, meetings of a committee had been standardised on a particular night of the week. Within the current Democratic Services Business Plan, there was an item to review the Calendar of Council Meetings, and in particular the frequency of meetings. No radical changes to the calendar had been proposed for next year.

The Portfolio Holder stated that one change from last year was the scheduling of a monthly evening meeting of the Licensing Sub-Committee, as this was one of the options being discussed by the Licensing Review Task & Finish Panel. This had been included in anticipation of this recommendation being agreed for implementation. Another minor change was the re-scheduling of Housing Appeals & Review Panel meetings from Thursday afternoons to Monday afternoons. This was at the request of the current Committee. A schedule of dates had not been set for the Local Highways Panel as the Panel agreed its own dates, usually at the previous meeting. Members would be notified of these dates when they had been agreed with the County Council.

The Director of Finance & ICT acknowledged that the budget setting Council meeting had been scheduled for half-term week in February 2014 and that this was a recurring issue. However, if the meeting was held any later then it would be difficult to produce all the Council Tax demands on time, and if it was held any earlier then it would be a struggle to get the precept information from the Local Councils. It was acknowledged that the timing of this meeting was unfortunate but the proposed scheduling was considered to be the best compromise.

Some of the members present expressed concerns that the meeting of Area Plans Sub-Committee South scheduled for 4 September 2013 coincided with the Jewish New Year festival of Rosh Hashanah. The Democratic Services Officer undertook to

discuss the issue with the Assistant Director of Planning & Economic Development (Development Control). Further concerns were raised about the scheduling of a Council meeting on 6 August, during the summer holiday period and it was requested that the scheduling of this meeting be reviewed.

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.

Reasons for Decision:

This was an item for action within the Democratic Services Business Plan for 2012/13 & 2013/14.

Other Options Considered and Rejected:

Individual frequencies of meetings could be varied. In practice additional meetings were added as and when issues dictated. Similarly, meetings could be cancelled if there was a lack of business.

86. TOWN CENTRE INITIATIVES

The Portfolio Holder for Asset Management & Economic Development presented a report on various initiatives to boost the District's town centres.

The Portfolio Holder commented that it was a challenging time for town centres, but the District was fortunate that to date it had not suffered the extent of empty units as many other locations. The Council was committed to supporting its vibrant and diverse high streets through initiatives such as One Shops Local and its continued support for the town centre partnerships. The report highlighted a number of further potential initiatives, both pan-District as well as more local projects, for increasing the Council's support for town centres. These measures included the implementation of High Street Hero awards, working with town centre partners to maximise local impact from national campaigns in 2013, the provision of training for independent retailers and service providers, and the creation of a Local Economic Initiative fund. A District Development Fund (DDF) budget allocation of £35,000 was requested to deliver this extra support in 2013/14.

It was highlighted that the villages within the District were equally in need of support as the town centres. The Portfolio Holder stated that the village centres would be examined if there were insufficient bids from the towns for the proposed funding of £35,000. There were concerns about a lack of member involvement in the Town Teams Taskforces; the Portfolio Holder stated that there would be a report at each Council meeting on the progress made by the Taskforces.

A local member for Chigwell Village commented that it would be difficult to benchmark the performance of the proposed initiatives, and that customers should also be involved in the initiatives, not just the retailers. Research had suggested that

the more publicity given to badly performing local high streets, the more likely it was that people would take their custom from local high streets to big shopping centres such as Lakeside and Westfield. Several parts of the District were actually doing very well.

The Leader of the Council commented that the proposals were to be welcomed. The District's high streets had a lot to offer customers and the Council should persuade as many people as possible to shop locally. One Shops Local was doing very well in this regard. The town centres needed to connect with its customers to improve footfall within the District, and create job opportunities for residents.

The Portfolio Holder welcomed the members' comments, concerns and suggestions, and undertook to give consideration to them.

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.

Reasons for Decision:

The vitality of the District's town centres was vitally important and the proposed measures had been developed to support the District's diverse town centres. It was essential that residents could access shops and services locally but it should also be appreciated the broader role town centres had as places for social interaction, focal points for the community and thus their importance in providing residents with a good quality of life. The District's town centres were also key in providing significant local employment and injecting money into the local economy.

Other Options Considered and Rejected:

To refuse the DDF allocation of £35,000. However, this would not provide the further support to the District's town centres to ensure their continued vibrancy.

87. CCTV BUDGET PROVISION

The Portfolio Holder for Safer, Greener and Highways presented a report on the CCTV budget provision.

The Portfolio Holder reported that the CCTV systems in Loughton were nearing the end of their useful life and did not provide effective coverage of the entire High Road. Proposals were presented to renew and extend the existing CCTV coverage to provide an updated system and to extend its coverage northwards as far as the junction of the High Road with Traps Hill. The costs of this proposal would be met primarily from savings on the Loughton Broadway CCTV update and Town Centre Enhancement Schemes along with Section 106 monies already received relating to planning applications in the Loughton High Road area. Further proposals sought to regularise the split between revenue and capital expenditure during this and future years, and sought additional capital expenditure from 2013/14 onwards to enable the continued expansion and update of CCTV systems across the District. It was highlighted that the additional £10,000 of capital requested for the current year would be a supplementary estimate and require approval by the Council.

The Portfolio Holder added that the network in Loughton had been chosen for renewal and expansion as it had a significant night-time economy and had the second largest number of requests for downloads in the District. However, this would not be the only place in the District where investment in CCTV cameras would be made; a Portfolio Holder decision would be signed in the near future for further cameras in the Cottis Lane area of Epping. The budget for CCTV systems would cover other areas of the District in future years.

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.

Reasons for Decision:

To enable the update and extension of CCTV systems in Loughton High Road and provide high quality CCTV evidential support to Essex Police and also provide reassurance to residents and users of Loughton High Road.

Other Options Considered and Rejected:

To take no action and leave the CCTV systems as they currently were. However, the systems were becoming increasingly unreliable and did not provide full coverage of the High Road.

88. DISASTER RECOVERY UPDATE

The Portfolio Holder for Finance & Technology introduced an update report on the Disaster Recovery project.

The Portfolio Holder informed the Cabinet that the initial main focus for the Council's ICT Disaster Recovery Project was to recover core systems and data as quickly as possible following an incident. After an exercise carried out during 2011/12, the Emergency Planning Team and Risk Management Group had suggested revising this focus as, in the event of a real situation, telephony had been identified as the most significant unmitigated risk. This had resulted in the emphasis of the project being switched to telephony. This revision also coincided with the Council's telephone switch supplier (Siemens) advising that, due to the age of the Council's current switch, it would soon become unsupportable. The Cabinet agreed at its meeting on 10 September that the replacement of the telephony system should be the key priority for ICT in 2013/14 and that an additional £210,000 should be included in the Capital Programme for this project. When the Cabinet considered the Capital Programme on 22 October, the relative priorities of the projects were questioned and a further report requested.

The Portfolio Holder added that there was a general unwillingness by Siemens to continue supporting the Council's current telephony system. Spare parts would become harder to source and the performance of the current system would continue to degrade. The finite staff resources within ICT was highlighted, which precluded attempting to complete both projects simultaneously. There was a greater risk of the telephony system failing, hence its higher priority, and the Disaster Recovery project would re-commence in 2014/15.

The Portfolio Holder for Safer, Greener and Highways acknowledged the importance of the telephony system, but the report considered by the Cabinet in June 2011 had included outsourcing as an option, but this had not been considered. There was still another five years to go before Siemens withdrew support for the current telephony system, and this would have been an issue then as now. Outsourcing the Council's Disaster Recovery project could also include simulations every six months to improve the Council's readiness. It was clear that the Council did not have the necessary in-house resources and therefore it should seriously consider the out-sourcing option.

The Assistant Director of Finance & ICT (ICT) stated that the outsourcing option had been considered, but the cost of £60,000 per annum was considered prohibitive when the Council had a number of different sites that could host the back-up ICT suite. It was acknowledged that both were large projects for the Council's ICT section, hence they both could not be progressed at the same time.

A local member for Theydon Bois highlighted the potential risk to the Council from having only one incoming route for power supplies, telephony and broadband. At the very least, the Council should have two separate routes for each. The Assistant Director stated that the Council now had two separate routes for its power supply, but acknowledged there was currently only one route for telephony and broadband. The Council would look to upgrade this to ensure that there were two separate routes for telephony and broadband.

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.

Reason for Decision:

To confirm the priorities within the overall Disaster Recovery Project.

Other Options Considered and Rejected:

To prioritise the offsite provision ahead of the telephony system. However this would leave little time for completion of the telephony project before the system became unsupported.

To progress both projects at the same time. However, this would require significant additional revenue and capital resources as the ICT team could not undertake both projects simultaneously.

89. ANY OTHER BUSINESS**Resolved:**

(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.

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

The Portfolio Holder for Finance & Technology presented the minutes from the recent meeting of the Finance & Performance Management Cabinet Committee held on 22 November 2012.

The Cabinet Committee had made recommendations to the Cabinet regarding the Fees and Charges to be levied by the Council during 2013/14 and the quarterly update of the Corporate Risk Register. Other issues considered by the Cabinet Committee had included: a progress report on the Value for Money and Data Quality Strategies; the Annual Audit Letter for 2012/13; the mid-year on the Treasury Management & Prudential Indicators for 2011/12; the Quarterly Financial Monitoring Report for the period July to September 2012; and a report on the draft General Fund Growth Lists and Savings update.

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.

Reasons for Decision:

The Cabinet was satisfied that the Cabinet Committee had fully addressed all the relevant issues in relation to the recommendations and that these should be endorsed.

Other Options Considered and Rejected:

The Cabinet was satisfied that the Cabinet Committee had considered all the relevant options in formulating their recommendations. The Cabinet did not consider that there were any further options.

CHAIRMAN