

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Cabinet **Date:** 10 January 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.05 - 7.55 pm

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

Other Councillors: K Angold-Stephens, A Boyce, R Morgan, J Philip, Mrs C Pond and B Rolfe

Apologies: -

Officers Present: G Chipp (Chief Executive), 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), J Preston (Director of Planning and Economic Development), S G Hill (Senior Democratic Services Officer) and G J Woodhall (Democratic Services Officer)

91. WEBCASTING INTRODUCTION

The Leader 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.

92. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

93. REPORTS OF PORTFOLIO HOLDERS

Asset Management & Economic Development

The Portfolio Holder reported that the 250th business had signed up to the '1 Shops Local' initiative this afternoon. So far, the website had received over 40,000 page views, which was excellent progress. It was intended to discuss the recently agreed funding programme with the Chairmen of the Town Centre Partnerships at a meeting organised for the following week. It was also hoped to hold a Town Centre Workshop at that meeting as well. A Tourism Summit was planned for 31 January 2013 at the Marriot Hotel in Waltham Abbey, 9.00am to 1.30pm, and a very successful first Youth Christmas Market had been held in Waltham Abbey as well.

94. PUBLIC QUESTIONS

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

95. REVIEW OF SALARY BUDGETS AND VACANT POSTS

The Leader of the Council presented a report concerning the review of Salary Budgets and Vacant Posts within the Council.

The Leader stated that a Review of Salary Budgets and Vacant Posts had been undertaken within the context of the Council's current external recruitment restrictions. It had concluded that a reduction of £419,000 in the Council's Establishment could be delivered from 1 April 2013 by the permanent deletion of a number of existing vacant posts. Significantly, this could be achieved without the need for a redundancy programme and without frontline services being adversely affected. However, in order to deliver this level of efficiency saving, it would be necessary for the current recruitment restrictions to be revoked, to give Managers the ability to react quickly to changing circumstances within their areas of responsibility, with an increased flexibility to manage their remaining staffing resources. Therefore, the Cabinet was requested to agree that the specific vacant posts listed within the report be permanently deleted from the Council's establishment, and that the current recruitment restrictions be revoked as a consequence.

Decision:

- (1) That the outcome of the Review of Salary Budgets and Vacant Posts be noted;
- (2) That the specific current vacant posts identified by Directors be permanently deleted to deliver £419,000 saving on the Council's Establishment Salary budget;
- (3) That the current recruitment restrictions be revoked to increase Service Managers' ability to manage their staff resources within the reduced salary budget parameters; and
- (4) That further reports on the other organisational reviews still to be concluded be received by the Cabinet in due course.

Reasons for Decision:

The deletion of the vacant posts listed within the report would generate a saving for the Council of £419,000 per annum, without jeopardising frontline services.

The Council had been operating recruitment restrictions for the last two years, which while controlling cost, had reduced the ability to respond effectively to changing financial and service requirements, and therefore had been subject to review.

Other Options Considered and Rejected:

To retain the current vacant posts and recruitment restrictions. However this was considered to be counter-productive in the longer term.

96. NATIONAL LAND AND PROPERTY GAZETTEER

The Planning Portfolio Holder presented a report upon the National Land and Property Gazetteer.

The Portfolio Holder reported that the Local Land and Property Gazetteer arrangements for managing addressing accuracy was governed by the Data Co-operation Agreement (DCA), a contractual agreement between Epping Forest District

Council and GeoPlace LLP, a Limited Liability Partnership jointly owned by the Improvement and Development Agency for Local Government (trading as Local Government Improvement and Development) and Ordnance Survey. The Epping Forest District Council address management performance indicators were currently scored as 'Below National Standards'. As a result, there was a real possibility that the Council could be declared a Non Contributing Authority and GeoPlace had the right to invoke "Emergency Measures" to implement an "Essential Support Plan" within such timescales and costs as were considered reasonable.

The Portfolio Holder advised the Cabinet that the penalties which could be invoked ranged from sending a team of specialists to correct the Council's Addressing Management Information at a cost of £500 per person per day, to charging the Council for all Ordnance Survey Mapping (currently free of charge) which could be as high as £60,000 per annum. Therefore, additional resources were being sought to correct and update the Gazetteer to ensure its accuracy for all agencies who were required to use it, and to prevent the intervention of GeoPlace and their associated costs.

In response to queries from the members present, the Portfolio Holder stated that the councils who had achieved the Gold standard for their Gazetteer had allocated more resources to it and started from a better initial position, both in terms of the skilled personnel they had available and the accuracy of the initial data within their Gazetteer. The Council had established a Working Party to identify the current issues with the Gazetteer and potential solutions. The Director of Planning & Economic Development acknowledged that the Council would need more than one person to get the Gazetteer up to the required standard by the end of March, as it had been estimated that it would take between 150 and 250 man-days of work. The Director of Environment & Street Scene commented that the Council had two realistic options available: negotiate a reasonable daily rate with GeoPlace to obtain the required resources; or seek assistance from a neighbouring Council who had already achieved the required standard to provide the necessary skilled personnel at a reasonable rate. The Portfolio Holder would report upon progress at the next Council meeting, scheduled for 19 February 2013.

Decision:

- (1) That the Local Land and Property Gazetteer was falling short of the required national standards be noted;
- (2) That the Council had until the end of March 2013 to bring the Local Land and Property Gazetteer up to the required standard or face intervention from the national Local Land and Property Gazetteer managers, GeoPlace LLP, be noted; and
- (3) That a supplementary District Development Fund estimate in the sum of £100,000 be recommended to the Council for approval, to provide the short-term resources required to bring the Local Land and Property Gazetteer up to the national standard.

Reasons for Decision:

To enable the Gazetteer and address database to be corrected and brought up to the required standard by the end of March 2013.

Other Options Considered and Rejected:

To not apply the necessary resources. However, this would effectively ensure that

GeoPlace would act to update the Gazetteer itself, at a significantly higher cost to the Council both financially and reputationally.

To apply lesser resources. However, this would only achieve the desired standard for the Gazetteer if the necessary skilled resources were available.

97. 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) Allocation of Local Council Tax Support Grant.

98. ALLOCATION OF LOCAL COUNCIL TAX SUPPORT GRANT

The Portfolio Holder for Finance & Technology presented a report concerning the allocation of the Local Council Tax Support Grant.

The Portfolio Holder reported that the replacement of Council Tax Benefit by Local Council Tax Support (LCTS) had been the subject of several reports to Cabinet and Council. The scheme to be implemented had been approved by the Council on 18 December 2012. However, as the grant figures were still to be released it had not been possible to agree how the grant would be allocated at that time. The grant figures were released on 20 December 2012 with specific amounts for local councils and billing authorities. As the Government did not have an existing power to pay grants directly to Local Councils, they expected billing authorities to agree a payment mechanism and pass the grant on to local councils.

The Portfolio Holder advised the Cabinet that the amount of grant relating to local councils in the District was £312,812, which was £7,460 less than the estimated loss of £320,272 through the introduction of Local Council Tax Support. The amount of grant relating to this Council was £806,814, which was £37,934 more than the estimated loss of £761,420 through the introduction of Local Council Tax Support. It was therefore proposed to use £7,460 of this surplus to leave the local councils no worse off and this Council £30,474 better off.

The Portfolio Holder emphasised that whilst these estimates had been properly prepared and checked, the Council was dealing with new schemes of both Council Tax Support and Council Tax Technical Changes. These were very significant changes and collection rates could prove to be different to expectations. Given this level of uncertainty it would be prudent to keep the calculations and allocations under review and consider any necessary changes as part of the budget setting process for 2014/15.

Following a question from one of the local ward members, the Director for Finance & ICT added that the Tax Base for Theydon Bois had fallen due to the reduction in the Collection Rate from 99% to 97.8%. Overall, across the District the Tax Base had been increased by approximately 500 properties following the implementation of the changes to the technical Council Tax discounts. The Cabinet acknowledged the work performed by the Finance Team to ensure that the changes to Local Council Tax Support had had minimal impact upon the Local Councils.

Decision:

- (1) That the Local Council Tax Support Grant for 2013/14 be allocated to each Town and Parish Council based on the amount of the reduction in their tax base multiplied by their Band 'D' charge for 2012/13; and
- (2) That the calculation and allocations for Local Council Tax Support Grant for 2013/14 be reviewed as part of the budget process for 2014/15.

Reasons for Decision:

To agree the basis for allocating Local Council Tax Support Grant and the amounts due to each Town and Parish Council.

Other Options Considered and Rejected:

To allocate only the amount of £312,812 and spread the shortfall pro-rata amongst the local councils. However, this would leave the Local Councils in a worst position after the implementation of the Local Council Tax Support Scheme.

To allocate more than the proposed £320,272. However, any funds allocated above £320,272 would represent a reduction in the safety margin for this Council.

99. EXCLUSION OF PUBLIC AND PRESS**Resolved:**

- (1) That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
10	North Weald Market – Operator Licence Fees	3

100. NORTH WEALD MARKET - OPERATOR LICENCE FEES

The Portfolio Holder for Finance & Technology presented a report concerning the licence fees payable by the Operator of North Weald Market.

The Portfolio Holder reported that a licence to operate North Weald Airfield Market had been granted to Hughmark Continental Limited in September 2010, with an expiry date in 2017. In view of the difficult trading conditions being experienced, on 30 January 2012 the Cabinet decided to reduce the licence fee and infrastructure charge for one year from 1 January 2012, although the charge for the car boot sale remained unaffected.

The Portfolio Holder reminded the Cabinet that, as part of the previous decision, delegated authority was given to the Director of Corporate Support Services and the Director of Finance & ICT to negotiate a further suspension of one year for the Retail Price Index increase applicable from 1 January 2013 if it was felt to be necessary. During these negotiations, the Market Operator had requested a fundamental change

in the nature of the relationship between the company and the Council. The proposal was for a much lower fixed fee with a share of income above a given level, such that in future the trading risk was shared with the Council. After consideration, it was felt that this was a fair proposal with incentives for both sides, as the fees due to the Council would rise if the Market became more successful again in the future. The Council had also been requested to consider backdating the new agreement from 1 December 2012, rather than 1 January 2013.

The two local ward members for North Weald Bassett felt that the Operator had been open and honest with the Council regarding the difficulties being experienced with the Market, and supported the proposals before the Cabinet – including the backdating of the agreement to 1 December 2012. The Portfolio Holder informed the Cabinet that the primarily problem was the decrease in the number of stallholders, rather than a reduction in the number of visitors or customers to the Market.

The Cabinet noted that this issue highlighted the risk of the Market financially supporting the air-side activities at the Airfield, and it was anticipated that the proposed review of the Airfield, to be undertaken during 2013, would consider in detail the balance between aviation and non-aviation activities. It was acknowledged that the failure of the Market would have a detrimental effect on the Council's budget, and that the income from the Market could not be relied upon in the future. It was emphasised that the Council's income would increase under the proposal if the Market was more successful.

The Director of Finance & ICT outlined the current financial position of the Market Operator for the benefit of the Cabinet. The Leader of the Council proposed that the Council should enter into an agreement with the Market Operator under the terms proposed, with the agreement beginning on 1 January 2013 for one year and quarterly monitoring reports to be received by the Cabinet.

Decision:

- (1) That the proposal from Hughmark Continental Limited for a risk/reward sharing agreement in respect of the licence to operate North Weald Market be agreed, subject to the following amendments:
 - (a) the agreement to be implemented from 1 January 2013;
 - (b) the duration of the agreement to be for one year; and
 - (c) quarterly review reports in respect of the agreement to be received by the Cabinet for the duration of the agreement.

Reason for Decision:

To determine the basis for the licence fee with the Operator for North Weald Market during 2013. A decision at this time would also allow any necessary adjustments to the budget for 2013/14 to be made.

Other Options Considered and Rejected:

To continue with the current agreement but reduce the licence fees further.

To enforce the full terms of the licence. However, this might place the current income from the market at risk.

CHAIRMAN