



DECISIONS

Committee:	CABINET
Date of Meeting:	Monday, 9 September 2013
Date of Publication:	17 September 2013
Call-In Expiry:	23 September 2013

This document lists the decisions that have been taken by the Cabinet at its meeting held on Monday, 9 September 2013, which require publication in accordance with the Local Government Act 2000. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

Those decisions that are listed as being “recommended to the Council...”, or request the Chairman of the Council to waive the call-in, are not eligible for call-in.

The wording used might not necessarily reflect the actual wording that will appear in the minutes, which will take precedence as the minutes are the official record of the meeting.

If you have any queries about the matters referred to in this decision sheet then please contact:

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Call-In Procedure

If you wish to call-in any of the eligible decisions taken at this meeting you should complete the call-in form and return it to Democratic Services before the expiry of five working days following the publication date. You should include reference to the item title. Further background to decisions can be found by viewing the agenda document for this meeting at: www.eppingforestdc.gov.uk/local_democracy

Decision No:

3. MINUTES

Decision:

Resolved:

(1) That the minutes of the following meetings be taken as read and signed by the Chairman as a correct record, held on:

(a) 22 July 2013, subject to amendments in minutes 21 and 23 (Review of North Weald Airfield) stating that support for the Aviation Intensification option had been expressed by local residents in a survey undertaken by North Weald Bassett Parish Council; and

(b) 29 July 2013.

7. DEVELOPMENT STRATEGY - COUNCIL HOUSEBUILDING PROGRAMME

Decision:

(1) That, as recommended by the Council Housebuilding Cabinet Committee, the Development Strategy for the Council's Housebuilding Programme be approved, with specific attention drawn to the following:

(a) financial appraisals for each phase to be modelled on a 30-year pay-back period with a positive Net Present Value (NPV) over 30 years, using the financial assumptions set out in the appendix to the Strategy;

(b) any financial shortfall to be met with subsidy;

(c) the Key Performance Indicators that would be used to measure progress, which had previously been agreed by the Cabinet;

(d) the feasibility reporting format, consisting of:

- the design proposals (the number and nature of units to be developed);
- a scheme budget estimate;
- a procurement plan;
- a financial appraisal of the site;
- a project timetable;
- a project risk assessment; and
- a recommendation on how to proceed.

(e) the Council would make use of East Thames' existing EU-compliant Framework Agreement for constructing the Council's new homes;

(f) the Council would adopt the East Thames Design Guide to inform the design parameters and development of each site; and

(g) the Council would adopt the East Thames Employers' Requirements.

8. REPAIRS MANAGEMENT CONTRACT RENEWAL

Decision:

(1) That the results of the first three years of the "Insourcing" arrangements with Mears Ltd as the Repairs Management Contractor be noted;

(2) That the contract with Mears Ltd as the Repairs Management Contractor be renewed for a further three years, with the rates adjusted in line with the Consumer Price Index in accordance with the terms of the agreement;

(3) That the Consumer Price Index also be applied to the "Incentive" payment of £2,000 per quarter as set out in the contract, subject to all contract Key Performance Indicators being met in each quarter; and

(4) That any future “Key Deliverables” and Service Enhancements be considered by the Housing Scrutiny Panel and recommended to the Housing Portfolio Holder for addition to the agreement in Years 3 - 6.

9. CORPORATE PLAN KEY OBJECTIVES 2013/14 - QUARTER 1 PROGRESS

Decision:

(1) That progress in relation to the achievement of the key objectives for the first quarter of 2013/14 be noted.

10. EPPING HALL - SPORTS AND LEISURE FEASIBILITY STUDY

Decision:

(1) That the Epping Hall Sports and Leisure Feasibility Study be noted;

(2) That, whilst a preferred option had been identified within the Study, none of the options be excluded at this stage, by virtue of the fact that no other proposals had yet to be considered as a result of the Expressions of Interest exercise;

(3) That the Epping Hall Sports and Leisure Feasibility Study be included in the evidence base for the preparation of a new Leisure Strategy for the District and the Procurement Strategy for the Council’s next Leisure Management Contract; and

(4) That the formal views of Epping Town Council be sought on the Feasibility Study and include their level of commitment to the re-provision of a new Sports Centre on land within their ownership.

11. LIMES FARM CENTRE

Decision:

(1) That the outturn figure for the redevelopment of the Limes Farm Centre of £1,101,000 against the Capital Provision of £1,102,000 (£842,000 from Epping Forest District Council and £260,000 capital grant from Essex County Council Extended Schools Funding) be noted.

12. PROPOSED REFURBISHMENT OF BAKERS LANE TOILETS EPPING

Decision:

(1) That a tender by Amwell Construction Ltd., in the sum of £87,277.47 be accepted for the refurbishment of the Bakers Lane Public Toilets in Epping, including provision for a Changing Places Facility;

(2) That Contract Standing Orders in relation to the procedure for inviting, receiving and opening tenders be waived in respect of this contract for the reasons set out in the report; and

(3) That a sum of £4,277.47 be vired from the Capital Contingency budget within the Planned and Preventative Programme Maintenance Programme for 2013/14 and added to the budget for the refurbishment of the public toilets at Bakers Lane in Epping as:

(a) the bid from Amwell Construction Ltd had exceeded the previously

agreed budget by £2,277.47; and

(b) Stace LLP had recommended a small contingency in the sum of £2,000 be set aside for this project.

13. METHODOLOGY FOR DETERMINING OBJECTIVELY ASSESSED HOUSING NEED

Decision:

(1) That national planning policy and best practice in determining Objectively Assessed Housing Need, and the implications for the preparation of the new Local Plan for Epping Forest District be noted; and

(2) That the broad methodology for determining the Objectively Assessed Housing Need within the District be agreed.

14. ASSETS OF COMMUNITY VALUE

Decision:

(1) That the procedure and policy to ensure the Council complied with the requirements of the Community Right to Bid (Assets of Community Value) within the Localism Act 2011 and The Assets of Community Value (England) Regulations 2012 be approved.

15. CAPITAL BUDGET ALLOCATION FOR REPLACEMENT OF PAY AND DISPLAY MACHINES

Decision:

(1) That the replacement of the off street Pay and Display charging machines in Council owned car parks that had reached the end of their design life and were beyond economic repair be agreed; and

(2) That capital allocations of £40,000 and £50,000 be included in the Capital Programme for 2014/15 and 2015/16 respectively.

16. SECTION 106 CONTRIBUTION FROM THE REDEVELOPMENT OF ST JOHN'S SCHOOL, EPPING

Decision:

(1) That the use of the Section 106 contribution, in the sum of £225,000, from the redevelopment of St John's School in Epping to improve and redevelop sports and leisure facilities at Stonards Recreation Ground, Epping be approved; and

(2) That further reports on the detail of the final improvement projects to be implemented, along with the outcome of any further funding applications, be received by the Cabinet in due course.

17. REPLACEMENT OF WASTE & RECYCLING CONTAINERS AND THE USE OF PRUDENTIAL BORROWING POWERS FOR THE NEW WASTE MANAGEMENT CONTRACT

Decision:

- (1) That the replacement of those waste and recycling containers which had reached the end of their design life and could not be repaired or reused be agreed;
- (2) That a capital allocation of £30,000 be included in the Capital Programme for 2014/15 and subsequent years; and
- (3) That the use of the Council's capital resources and/or prudential borrowing powers for the provision of the Waste Management and, if required, the Grounds Maintenance fleet and associated equipment, as part of the procurement of the next Waste Management (etc.) contract be agreed in principle.

18. INTRODUCTION OF CHARGES FOR C.A.R.E HANDYPERSON SERVICE

Decision:

- (1) That charges be introduced for the Handyman Service from 1 October 2013 on the following basis:
 - (a) service users who were on means-tested benefits be charged a fee of a maximum of £30 each time they used the service, with the exception of falls prevention and home security work which would be free of charge;
 - (b) service users who were not on means-tested benefits be charged a fee of a maximum of £50 for Handyman Service work and £25 each time they used the service for falls prevention and home security work; and
 - (c) where the work cost less than these limits, service users would only pay the actual cost of the work;
- (2) That, for the purposes of eligibility for the Handyman Service, an 'older person' be defined as:
 - (a) someone who was over 60 years of age and retired; or
 - (b) a couple where both were over 60 years of age and retired;
- (3) That a Continuing Services Budget growth bid in the sum of £5,000 per annum from 2014/15 be agreed to supplement the budget for the Handyman Service's work; and
- (4) That future use of the Handyman Service be denied to previous service users who had failed to pay their contributions for the use of the service.

19. TRANSFER OF THE DISTRICT COUNCIL'S FREEHOLD INTEREST IN WALTHAM ABBEY TOWN HALL TO THE TOWN COUNCIL

Decision:

- (1) That the freehold transfer of the Waltham Abbey Town Hall to Waltham Abbey Town Council at no cost, including a right of pre-emption as the disposal was likely to contribute to the promotion or improvement of the economic and social well being of

the area, be agreed in principle;

(2) That the Director of Corporate Support Services, in consultation with the Portfolio Holder for Asset Management and Economic Development, be delegated the authority to negotiate the final agreement of the terms; and

(3) That further liability for insurance and repairs be transferred to Waltham Abbey Town Council.

20. DIRECTORATE RESTRUCTURING

Decision:

(1) That the draft report to Council from the Head of Paid Service regarding the proposed restructuring of the Directorates be noted; and

(2) That any further responses received from Members prior to the end of the formal consultation process on 15 September 2013 would be considered for inclusion in the final report to be submitted to the Council scheduled for 5 November 2013.

22. EXCLUSION OF PUBLIC AND PRESS

Decision:

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
24	Capital Allocation for Installation of new CCTV Equipment at the Langston Road Depot	7
25	Site of Sir Winston Churchill Public House, The Broadway, Loughton	3
26	Langston Road Retail Park	3

23. CAPITAL ALLOCATION FOR INSTALLATION OF NEW CCTV CAMERA EQUIPMENT AT LANGSTON ROAD DEPOT

Decision:

(1) That a supplementary capital estimate in the sum of £20,000 for 2013/14 to install new CCTV systems at the Langston Road Depot in Loughton be recommended to the Council for approval; and

(2) That the removal of all new equipment, CCTV cameras and other reusable hardware to the new depot following the relocation of services from the Langston Road Depot be noted.

24. SITE OF SIR WINSTON CHURCHILL PUBLIC HOUSE, THE BROADWAY, LOUGHTON

Decision:

(1) That, following negotiations between the Council's agent Latham High Chartered Surveyors and CK Property Investments Ltd, the proposed Heads of Terms for the redevelopment of the Sir Winston Churchill site be agreed;

(2) That external solicitors be instructed to prepare and negotiate a Development Agreement to document the agreed Heads of Terms for the redevelopment of the Sir Winston Churchill site;

(3) That the Portfolio Holder for Asset Management and Economic Development, in consultation with the Director of Corporate Support Services, be authorised to agree minor amendments to the documentation; and

(4) That, in order to instruct the external solicitors to prepare and negotiate a development agreement for the site, a supplementary capital estimate in the sum of £75,000 for 2013/14 be recommended to the Council for approval.

25. LANGSTON ROAD RETAIL PARK

Decision:

(1) That the progress of the project and negotiations with the owner of the T11 site, Polofind Ltd, to develop a Retail Park at Langston Road in Loughton be noted;

(2) That a supplementary District Development Fund estimate in the sum of £150,000 to cover the Council's share of the cost of contamination investigations and to submit a detailed planning application for the proposed Retail Park be recommended to the Council for approval;

(3) That the current status of the Judicial Review proceedings brought by Sainsbury PLC in relation to access to their Debden Store be noted; and

(4) That the requirement to clear the Langston Road Depot site before the construction could commence and the impact of the procurement exercise for the Waste Management contract on this be noted.

