

# Supplementary Committee Agenda



**Epping Forest  
District Council**

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## **Cabinet Monday, 23rd July, 2012**

**Place:** Council Chamber  
Civic Offices, High Street, Epping

**Time:** 7.00 pm

**Democratic Services:** Gary Woodhall  
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**8. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 25 JUNE 2012 (Pages 173 - 182)**

(Finance & Technology Portfolio Holder) To consider the minutes from the recent meeting of the Finance & Performance Management Cabinet Committee held on 25 June 2012 and any recommendations therein.

**9. LOCAL PLAN CABINET COMMITTEE - 2 JULY 2012 (Pages 183 - 190)**

(Planning Portfolio Holder) To consider the minutes from the recent meeting of the Local Plan Cabinet Committee held on 2 July 2012 and any recommendations therein.

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Finance and Performance Management Cabinet Committee **Date:** Monday, 25 June 2012

**Place:** Committee Room 1, Civic Offices, High Street, Epping **Time:** 7.00 - 8.30 pm

**Members Present:** Councillors Ms S Stavrou (Chairman), R Bassett, D Stallan, G Waller and C Whitbread

**Other Councillors:** Councillors K Avey, Mrs A Grigg and J M Whitehouse

**Apologies:**

**Officers Present:** R Palmer (Director of Finance and ICT), K Durrani (Assistant Director (Technical)), A Hall (Director of Housing), D Macnab (Acting Chief Executive), J Twinn (Assistant Director (Benefits)) and R Perrin (Democratic Services Assistant)

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### 1. Declarations of Interest

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

### 2. Minutes

#### RESOLVED:

That the minutes of the meeting held on 19 March 2012 be taken as read and signed by the Chairman as a correct record.

### 3. Localisation of Council Tax Support

The Assistant Director of Benefits presented a report regarding changes to the Localisation of Council tax support for billing authorities.

She advised that from 1 April 2013, Council Tax Benefit (CTB) had to be replaced by a new system of localised Council Tax Support, with the billing authorities deciding who would be eligible to receive the support. The Government would then provide a cash limited grant equivalent to 90% of current CTB funding and the District Council would have to either absorb the 10% cut or pass the costs on to residents. Pensioners would be protected from the cuts, and so it would fall upon people of working age, as part of the Government's objectives to incentivise people to work instead of claim benefit. If the Government cut was not passed on to benefits customers, it would cause £900,000 of budget pressure which would be borne, in proportion, by the major precepting authorities (EFDC, ECC, Police, and Fire). Although if the cuts were passed onto benefits customers, it would fall disproportionately upon low-income working age households, requiring additional staffing resource, and inevitably, collection rates would not be as high. Tenants renting their homes from the Council would also be represented in this household group, which in conjunction with housing benefit reforms would have further income

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collection implications. With further cuts in Government funding expected, the DCLG had indicated that there would be a further 10% cut in April 2015. The Tax Support scheme would need to be implemented by the end of 2012, to ensure that a default scheme was not imposed and that annual billing was undertaken in a timely manner. Although this would result in an immense challenge on policy, financial and service delivery terms.

The Essex authorities were currently working together in an effort to develop a framework for a county-wide scheme, looking to save 10% by reducing the amount of CTB for working age customers. All authorities would operate with slight differences because of the mixed demographics and balance between working age and pensioners.

The key matters requiring policy direction from Members within the next few months were:

- Whether to absorb the cut in Government funding by making adjustments to other budgets, or to pass on the cut to existing benefits claimants;
- The design of a Local Council Tax Support scheme that would achieve the required savings if the cut in Government funding was to be passed onto benefit claimants;
- The Council would need to adopt a definition of “vulnerable people”;
- Whether to future proof the scheme against possible further Government funding cuts from 2015; and
- Policy on debt recovery procedures, and anti-fraud work.

A report would be going to Cabinet in July 2012, which would seek agreement to some broad principles which should allow consultation to commence on an outline scheme. The consultation on the proposed scheme design had already been taking place with the major precepting authorities, the Essex Strategic Leaders Finance Group and the Essex Chief Executives Association. Officers from Essex County Council attend all the LCTS meetings with the Essex authorities. Public consultation would be undertaken in August/September for a six week period and reported to Cabinet in October 2012, to allow a final scheme to be agreed by Council in December 2012.

The Cabinet Committee commented on the flexibility of the system and whether considerations on the length of time residents had been in District could be applied to the new system, to protect residents from population migration. Members also commented on the consultation period being August, when this was normally the holiday period. The Assistant Director of Benefits advised that they had no choice but to consult within this period as the results were required, to allow the new system to be in place and agreed by December 2012. The consultation responses would be hosted on County Council website. The working age would be automatically consulted, with officer resolving that pensioners should also be consulted and advised of the new system to prevent further queries.

The Acting Chief Executive advised that a visual table of the effect on a family of four could prove more effective in the consultation and that clarity about this being a Government policy and not an Epping Forest District Council should be reinforced.

**Recommended:**

- 1) That the report and the key points for decision making this year be noted; and
- 2) That officers continue to work with other Essex local authorities on developing a potential county-wide scheme; and

3) That the report to Cabinet should consider the possibility of including a residence qualification in the local scheme.

#### **4. Corporate Risk Register**

The Director of Finance & ICT presented a report on the Corporate Risk Register. The suggested changes had already been considered both by the Risk Management Group and the Corporate Governance Group.

The Director of Finance & ICT reported that a number of amendments had been identified and incorporated into the register. Firstly, it was felt that risk 34, Changes to the Benefit System, should be amended to reflect the impact of the localisation of Council Tax benefit and the introduction of Universal Credit. The assertions of the DWP that TUPE would not apply were being challenged by the Local Government Association as these could result in a large additional financial burden for local authorities. In relation to this, it was thought that the implementation timetable might be relaxed or that forms of mitigation may be offered for some aspects of the localism of Council Tax benefit, but the DCLG "A Statement of Intent" had made clear that this would not be changed. Secondly, Risk 3, Potential difficulty producing the Local Plan, should be amended to reflect the concerns over staff being unable to cope with the increased work loads due to the legislative changes and the National Planning Policy Framework coming into effect without an adopted Local Plan. Other minor amendments included Risk 29, Gypsy Roma Traveller Provision, removing the vulnerability associated with Crays Hill, Risk 17, Significant amount of Capital Receipts, reflect that the Council was no longer debt free and Risk 33, Reforms of the Housing Revenue Account, reflecting the actual debt rather than the anticipated.

The Cabinet Committee commented on Risk 31, London 2012, Olympic disruption and the possible effects of high users of G3 and mobile networks, not being able to cope during the Olympics and Paralympics. The Director of Finance & ICT advised that this disruption had not been conveyed to them and that they would investigate it further, although officers were not high users of these facilities. Risk 8, Business Continuity Management was highlighted as a result of the RBS IT failures in the press and the concerns over the service continuity. The Director of Finance & ICT advised that daily back ups were being completed offsite and a wireless network would be installed shortly, within the Civic Offices tower for remote access. Further future reports would be coming forward regarding these issues.

Councillor J Whitehouse highlighted Risk 11, with the need to add the new homes bonus to the consequence column, as this could be effected if the Council did not maintain the number of homes required.

#### **Recommended:**

- 1) That risk 34, Changes to Benefits System, be increased to A2 Very High Likelihood/Critical Impact;
- 2) That risk 3, Potential difficulty producing Local Plan, be increased to B2 High Likelihood/Critical Impact;
- 3) That risk 11, Unable to provide sufficient housing for local people, be amended to reflect the consequence of the new houses bonus;
- 4) That risk 29, Gypsy Roma Traveller Provision had the Eviction from Crays Hill vulnerability and associated Trigger and Consequence removed;

- 5) That risk 17, Significant amount of Capital Receipts, had been amended to reflect the fact that the Council was no longer debt free;
- 6) That risk 33, Reform of Housing Revenue Account, had been amended to reflect the actual debt rather than the anticipated debt;
- 7) That further minor wording changes had been applied to the action plans to ensure the responsible Portfolio Holder was correctly identified.
- 8) That the current tolerance line on the risk matrix be considered satisfactory and not be amended; and
- 9) That, incorporating the above agreed changes, the amended Corporate Risk Register be recommended to the Cabinet for approval.

**Reasons for Proposed Decision:**

It was essential that the Corporate Risk Register was regularly reviewed and kept up to date.

**Other Options Considered and Rejected:**

To suggest new risks for inclusion or amendments to the scoring of existing risks.

**5. Key Performance Indicators 2011/12 - Outturn**

The Acting Chief Executive presented a report regarding the performance of the Council's Key Performance Indicators for 2011/12 and views of the Finance and Performance Management Scrutiny Panel.

The Cabinet Committee was reminded that pursuant to the Local Government Act 1999, the Council was required to make arrangements to secure continuous improvement in the way, in which its functions and services were exercised, having regard to a combination of economy, efficiency, and effectiveness. As part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives were adopted each year. Performance against the KPIs was monitored on a quarterly basis.

The Acting Chief Executive reported that outturn position with regards to the achievement of target performances for KPIs for 2011/12 was that 22 (66.6%) of the indicators achieved the performance target for 2011/12 and 11 (33.3%) of the indicators did not achieve the performance targets. Consequently the Council did not accomplish its overall aim of achieving target performance for at least 70% of the KPIs for 2011/12.

The Cabinet Committee was requested to note the Council's performance in relation to the KPIs for 2011/12, and to agree the proposed deletion or revision of specific KPIs for 2012/13, as set out in the report. Although the Council's overall aim of achieving target performance for at least 70% of the KPIs for 2011/12 had not been achieved, the Committee was also requested to consider and agree the corporate KPI performance improvement target for 2012/13. These matters were also considered by the Finance and Performance Management Scrutiny Panel on 19 June 2012, and the views of the Scrutiny Panel were included in the report.

**Decision:**

- 1) That the outturn performance in relation to the Council's Key Performance Indicators for 2011/12 be noted;
- 2) That KPI 01 (Equality Framework for Local Government) be deleted from 2012/13;
- 3) That the methodology for the calculation of performance against KPI 47 (Households in temporary accommodation) from 2012/13, be revised for a year-long approach be adopted, based on an average of four end of quarter snapshots;
- 4) that the methodology for the calculation of performance against KPI 51, KPI 52 and KPI 53 (Planning applications) from 2012/13, be revised to reflect delegated decisions only;
- 5) That the performance targets for individual KPIs for 2012/13, as set out in the report and the separate report in respect of KPI 51, KPI 52 and KPI 53, be agreed; and
- 6) That a corporate target be set for the achievement of improvement against the KPIs for 2012/13.

**Reasons for Decision:**

- 1) The KPIs provide an opportunity for the Council to focus attention on how specific areas for improvement would be addressed, and how opportunities would be exploited and better outcomes delivered.
- 2) A number of KPIs were used as performance measures for the Council's key objectives. It was important that relevant performance management processes were in place to review and monitor performance against the key objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under performance.

**Other Options Considered and Rejected:**

No other options were appropriate in this respect. Failure to monitor and review KPI performance and to consider corrective action where necessary could have negative implications for judgements made about the Council's progress, and might mean that opportunities for improvement were lost. The Council had previously agreed arrangements for monitoring performance against the KPIs.

**6. Analysis of the Audit Commissions Value For Money Profiles**

The Acting Chief Executive presented a report regarding the Analysis of the Audit Commission's Value for Money Profiles.

The Value For Money analysis was intended to act in the first instance as a one-stop point of reference for much of the data contained in the 2010/11 version of the Audit Commission's Value For Money Profile Tool. The primary purpose thereafter was to allow officers and members to identify any Value For Money indicators or issues which they considered appropriate for further in-depth consideration and review. The Council was able to compare with its geographical and statistical neighbours, allowing the Council to focus its value for money work on particular areas of concern.

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The Acting Chief Executive asked the Cabinet Committee to determine any further action or investigations for the Finance and Performance Management Scrutiny Panel to consider in September 2012.

**Decision:**

1) That the Audit Commission's Value for Money Profiles for all Essex Authorities and the CIPFA Nearest Neighbour Authorities of the Council be noted.

**Reasons for Decision:**

Epping Forest District Council was committed to delivering excellent services that met the needs of its residents and customers. The Council had a corporate responsibility to achieve value for money in its operations and the Council must be able to show that its costs compare well with others, reflect priorities and policy decisions and that they were commensurate with service delivery, performance and the outcomes achieved.

The recent Audit Commission report ('Tough Times') recommended that councils use the Audit Commission's 'Value for Money Profile' tool to see how they compare to the national picture set out in the report, to identify councils facing similar challenges, and to learn from the approach of other councils.

**Other Options Considered and Rejected:**

No other options for action were considered relevant at this juncture.

**7. Provisional Capital Outturn 2011/12**

The Director of Finance & ICT presented a report on the provisional Capital Outturn 2011/12, setting out the Council's capital programme for 2011/12, in terms of expenditure and financing, and to compare the provisional outturn figures with the revised estimates. The revised estimates were based on the Capital Strategy, adopted by Council on 14 February 2012.

The overall position in 2011/12 was that a total of £9,563,000 was spent on capital schemes, compared to a revised estimate of £12,329,000, which represented an underspend of £2,766,000 of the Council's revised capital budget. Expenditure on General Fund projects totalled £3,943,000, which was £1,360,000 less than anticipated, and expenditure on the Housing Revenue Account (HRA) totalled £5,620,000, which was £1,406,000 less than anticipated. The majority of the underspends on General Fund schemes related to slippage of expenditure in respect of work which had been delayed to the following financial year, although there were also savings on a few schemes.

There were three schemes which were underspent by more than £100,000 within the General Fund. The largest underspend of £495,000 related to the new All Weather Pitch at Waltham Abbey. This had been delayed because of planning issues raised by the Environment Agency, although work would commence in July 2012. The 2011/12 Waste Management Vehicles and Equipment budget for the provision of the new food and recycling system was underspent by £192,000. Of this, £122,000 related to the new bins and recycling containers for flats, schools, places of worship, village halls etc and £70,000 related to the refuse freighters. The full underspend was requested to be carried forward pending the purchase of a further 7 refuse freighters in 2012/13. Finally, the Open Market Shared Ownership Scheme within the Housing General Fund capital programme was underspent by £174,000 because completion



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had only been achieved on one property by 31 March 2012. A further one more had subsequently completed and the others were in hand.

In the HRA Capital Programme the area of work which had experienced the greatest volume of slippage was the Small Capital Works, a substantial proportion of which relates to work on refurbishing void properties. The workload was significantly lower than usual, resulting in the large underspend of £449,000 reported. It was considered prudent to carry the sum forward to 2012/13, pending review during 2012/13. Significant slippage was also experienced on the kitchen and bathroom replacement programme during 2011/12.

**Recommended:**

- 1) That the provisional outturn report for 2011/12 be noted;
- 2) That retrospective approval for the over and underspends in 2011/12 on certain capital schemes as identified in the report be recommended to Cabinet for adoption;
- 3) That approval to the carry forward the unspent capital estimates into 2012/13 relating to schemes on which slippage had occurred be recommended to Cabinet for approval; and
- 4) That retrospective approval for changes to the funding of the capital programme in 2011/12 be recommended to Cabinet for approval.

**Reasons for Decision:**

The funding approvals requested were intended to make best use of the Council's capital resources that were available to finance the Capital Programme.

**Other Options Considered and Rejected:**

More of the HRA capital expenditure in 2011/12 could have been financed from the use of usable capital receipts. This option was rejected because the Revenue Contributions to Capital Outlay (RCCO) level suggested within the report was affordable within the HRA, according to current predictions, and greater use of usable capital receipts for HRA purposes would have the effect of reducing scarce capital resources available for the General Fund.

**8. Provisional Revenue Outturn 2011/12.**

The Director of Finance & ICT presented the Provisional Revenue Outturn 2011/12 an overall summary of the revenue outturn for the financial year 2011/12.

The net expenditure for 2011/12 totalled £15.165 million, which was £517,000 below the original estimate and £478,000 below the revised estimate. The variances had arisen on both the opening Continuing Service Budget, which was £367,000 lower than the probable outturn and the in year figures, £111,000 lower than the probable outturn. There were a number of other CSB savings which included unspent £33,000 relating to the corporate improvement budget, £25,000 for Building Maintenance, £24,000 for NNDR reductions, £24,000 of various savings on recruitment advertising, postage and stationery within directorate admin budgets, a significant number of other budgets showing underspends of between £6,000 and £12,000 and also a reduction in the provision for bad and doubtful debts of £63,000. The external auditors had requested the General Fund provision be reviewed and this had been

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carried out. The reduction represents 3.5% of the provision that existed at the start of the financial year.

The original in year CSB savings figure of £1,408,000 increased to £1,750,000. The main reason relating to the savings on the waste management contract and the inclusion of the New Homes Bonus was offset to a degree by the decision to build the whole of the pension deficit payments into the CSB. Given that the capitalisation direction applied for in 2011/12 had been refused, it was considered the appropriate prudent step to take in the circumstances. In the event savings were higher than both at £1,861,000, due to the full saving on the cessation of the contribution toward the community support officers being achieved earlier than expected.

The net DDF expenditure was expected to be £1,104,000 in the original estimate and £350,000 in the probable outturn. In the event the DDF showed net income of £188,000, which was £1,292,000 below the original and £538,000 below the revised. There were requests for carry forward amounts totalling £446,000 and therefore the variation actually equates to a £92,000 net under spend on the DDF items undertaken. These one-off projects were akin to capital, in that there was regular slippage and carry forward of budgetary provision and the only reasonable variance analysis that could be done was against the probable outturn.

The DDF reduced between the Original and Revised position by some £754,000, due to a mixture of items brought forward and put into future years and also new items identified during 2011/12. The largest item introduced into the revised estimates was a credit of £249,000 for a VAT refund relating to trade waste income originating between 1973 and 1996. There was also anticipated to be a substantial reduction in investment income, slippage on the Local Plan budget and savings as a result of not having a permanent Chief Executive.

Corporate Support Services, Finance and ICT and Planning and Economic Development saw variations in excess of £100,000 on their DDF when compared to the probable outturn. Within Corporate Support Services the main variation related to the issue surrounding personal search charges within Local Land Charge which was still ongoing and the allowance within the DDF was requested to be carried forward. In Finance and ICT there were two quite large variations. The anticipated allowance required for the new concessionary fare arrangements would not be required and whilst ongoing court cost income from Council Tax Collection was expected to reduce the total income in 2011/12, it had been better than expected. The main variation within Planning services related to slippage within the Local plan budget, which was considered in some detail by Cabinet on 11 June 2012.

A Deficit within the Housing Revenue Account of £582,000 and £949,000 was expected within its original and revised revenue budgets respectively, the actual outturn was a deficit of £1,393,000.

The Director of Finance & ICT advised that the Council could become liable for the settlement of claims relating to Mesothelioma. On 28 March 2012 a judgement was passed that liability rests with the insurers at the time of potential exposure. The insurers at the time were no longer trading and it was unlikely that there were sufficient assets to meet the totality of any claims, which would therefore mean some liability if not all would fall on the scheme creditors of which the Council was one. The amount involved was over £600,000 and given that the claims relate to former Housing DLO employees it was felt that provision should be made within the Insurance fund for this eventuality by providing £650,000 from the Housing Revenue Account. The charge was not included in either the Original Estimate or Probable Outturn due to the fact that this outcome was unknown until the year end.

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The Cabinet Committee felt that this was a prudent move as the amount of claimants were unknown.

**Decisions:**

- 1) That the revenue outturn for the General Fund and Housing Revenue Accounts (HRA) for 2011/12 be noted;
- 2) That the carry forward of £446,000 of the District Development Fund expenditure from 2011/12 into 2012/13 be noted; and
- (3) That a contribution was made from the HRA to the Insurance Fund, to cover any potential asbestos claims relating to former employees.

**Reasons for Decision:**

To note the provisional revenue outturn.

**Other Options Considered and Rejected:**

No other options available.

**9. Any Other Business**

It was noted that there was no other urgent business for consideration by the Sub-Committee.

**10. Exclusion of Public and Press**

The Sub-committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**

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## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Local Plan Cabinet Committee      **Date:** 2 July 2012

**Place:** Council Chamber, Civic Offices, High Street, Epping      **Time:** 7.00 - 8.55 pm

**Members Present:** R Bassett (Chairman), W Breare-Hall, Mrs A Grigg and D Stallan

### Other

**Councillors:** K Angold-Stephens, K Avey, K Chana, P Gode, Mrs M McEwen, G Mohindra, J Philip, Mrs C Pond, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, G Waller, Mrs E Webster, Mrs J H Whitehouse and D Wixley

### Apologies:

**Officers Present:** J Preston (Director of Planning and Economic Development), K Polyzoides (Assistant Director (Policy & Conservation)), I White (Forward Planning Manager), A Thorn (Principal Planning Officer), G J Woodhall (Democratic Services Officer) and T Carne (Public Relations and Marketing Officer)

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## 1. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Avey and W Breare-Hall declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of being members of Epping Town Council who had an interest in buying land near Stonards Hill. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett, M Sartin, S-A Stavrou and E Webster declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of being members of the Lee Valley Regional Park Authority. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of the proposed site at Bower Hill being in close proximity to his property. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(d) Pursuant to the Council's Code of Member Conduct, Councillor M Sartin declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of a proposed site being in close proximity to her property. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(e) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda item 5, Strategic Land Availability

Assessment, by virtue of a proposed site being in close proximity to his property. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(f) Pursuant to the Council's Code of Member Conduct, Councillors S-A Stavrou and J H Whitehouse declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of a proposed site being adjacent to the Furniture Exchange Scheme in which they were involved. The Councillors had determined that their interest was not prejudicial and would remaining the meeting for the consideration of the issue.

## 2. MINUTES

### Resolved:

(1) That the minutes of the meeting held on 19 December 2011 be taken as read and signed by the Chairman as a correct record.

## 3. TERMS OF REFERENCE

The Cabinet Committee noted that the Leader of the Council had recently amended the terms of reference as follows:

*“3.1 To oversee and submit recommendations to the Cabinet as appropriate on:*

*(a) agreement of documentation for consultation on the draft plan/preferred option and documentation to seek pre - submission representations on the proposed Local Plan;*

*(b) the final form of the Council's Local Plan (ie the version to be submitted to the Planning Inspectorate for Examination in Public); and*

*(c) responses that should be made to any representations received following consultation on the Local Plan and related documents and supplementary planning documents;*

*3.2 To be responsible for all aspects (except those matters specified in 3.1 above) including but not restricted to:*

*(a) monitoring of the achievement of milestones within the Local Plan and Community Infrastructure Levy preparation and review process;*

*(b) agreement of engagement strategies for consultation periods as necessary;*

*(c) agreement of documentation for consultation on (i) the Issues and Options;*

*(d) agreement of draft options and policy wording to be used as the basis for Sustainability Appraisal.*

*3.3 To note, receive and, if necessary, agree officer reports on consultants' studies which contribute to the establishment of an up-to-date evidence base to influence preparation of the Local Plan.*

- 3.4 *To agree options for joint or co-ordinated working with neighbouring Councils, which comply with the Council's duty to co-operate and which best meet the needs of this District.*
- 3.5 *To respond to the Planning Services Standing Scrutiny Standing Panel as appropriate.*
- 3.6 *To monitor within the budgetary provision for the Local Plan, as approved by the Cabinet and the Council.*
- 3.7 *That the membership of the Committee comprise of members of the Cabinet, the number to be determined by the Leader of the Council.*
- 3.8 *That the Committee will be chaired by the Portfolio Holder responsible for Planning matters.*
- NB (1) *In the event that the Council's Cabinet is constituted according the pro rata membership requirements of the Local Government & Housing Act 1989, any political group not having representation on the Committee by virtue of one of the named Cabinet portfolios shall nominate one member of the Cabinet to serve on this Committee.*

(2) *In the event that seats on the Cabinet are allocated by the Leader of Council solely to one political group, or to an alliance of one or more groups forming an administration, seats on the Sub Committee shall only be allocated to members of that group or alliance who have seats on the Cabinet."*

#### **4. STRATEGIC LAND AVAILABILITY ASSESSMENT (SLAA)**

The Forward Planning Manager presented a report on the Strategic Land Availability Assessment, for inclusion in the Council's Local Plan Evidence Base.

The Cabinet Committee noted that it was a policy requirement for Local Authorities to undertake a Strategic Housing Land Availability Assessment or similar work to inform their Local Plan making process. The Council had taken this approach a stage further and had also considered land which might be available for commercial purposes. The Strategic Land Availability Assessment was a central document to the delivery of the Local Plan as it assessed the land potentially available in the District for future development. The document had assessed 416 sites which were sourced from the 'Call for Sites' exercise, the Council's land terrier and by identifying the boundaries of settlements not already included to ensure a full radius search was conducted around the main settlements. The study concluded that 335 sites could potentially be suitable for development in the next plan period. Of these, 32 sites could be deliverable within the parameters of existing policy.

The Forward Planning Manager stressed that the Assessment was a technical document, to be included as part of the Evidence Base for the Local Plan; it was not a policy document. The Assessment would require monitoring on an annual basis to ensure that the database remained current and relevant.

The Chairman reiterated that no sites for development had yet been selected, these were options for discussion only, and there was always the possibility for other sites not yet listed to be considered. The Assessment was now out in the public domain as part of the Committee papers on the Council's website. The Democratic Services Officer highlighted that a decision sheet from tonight's meeting would be published

and distributed via the Members' Bags on Friday morning, to enable the call-in period to commence. The Principal Planning Officer undertook to provide the maps in an Excel format for any Member that requested them.

**Decision:**

(1) That the completed Strategic Land Availability Assessment and its findings be approved for inclusion in the Council's Local Plan Evidence Base.

**Reasons for Decision:**

To incorporate the results of the Strategic Land Availability Assessment into the Evidence Base for the new Local Plan, and inform discussions on growth options for development over the next 20 years.

**Other Options Considered and Rejected:**

To not include the SLAA into the Evidence Base. However, this would mean that the Local Plan would not benefit from the detailed work assessing a significant proportion of land in the District for suitability and availability for future development, and would risk the Local Plan being found unsound.

To carry out further assessment work. However, this would result in delays to progressing the Evidence Base and could significantly endanger the Council's current target of submitting the draft Local Plan to the Planning Inspectorate by the Autumn of 2013.

## **5. STATEMENT OF COMMUNITY INVOLVEMENT**

The Assistant Director for Planning (Policy & Conservation) presented a report on the Statement of Community Involvement for the Local Plan.

The Cabinet Committee was informed that the Statement of Community Involvement outlined the different processes that would be engaged by the Council when determining a planning application or preparing a Local Plan. The document outlined how the Council would consult and engage with both statutory and general consultees throughout the delivery of the Local Plan. It also gave an indication of how people could get involved at each stage of the process and where to find supporting information. The Assistant Director highlighted that the consultation period was actually proposed to start on Monday 30 July for 8 weeks, not 8 July as stated in the report.

The Director of Planning & Economic Development added that the Statement was part of the process of being open and transparent with the public. The Assistant Director explained that the volume of paperwork precluded printed copies of every document being available, and hence everything had been published to the Council's website. However, copies would be available for public viewing at both the Civic Offices and local libraries. The Chairman also assured the Cabinet Committee that a series of Local Plan Road Shows would be held around the District in September.

Some concern was expressed about part of the consultation period being conducted during the summer holidays. It was highlighted that the proposed eight-week consultation period was two weeks longer than the statutory minimum, and that all the requisite documents would be available for viewing before the official consultation period begun. These documents had been included as part of the published agenda for this meeting in a near final form. The Cabinet Committee was informed that



stages one and two in the Statement – Evidence Gathering and Issues & Options Preparation – had been completed and that the Council was about to embark on stage three – First Public Consultation (Issues & Options). There was some concern about the Planning Inspectorate potentially taking up to twelve months to make a decision upon the soundness of the Council's Local Plan. The Chairman stated that this issue had been raised at a recent conference, and it was a worry that the Planning Inspectorate could be inundated with Local Plans to examine. The Assistant Director stated that some discussions had already taken place with the Planning Inspectorate regarding the timetable.

Some of the Members present were worried about the level of development proposed by some of the options within the Strategic Land Availability Assessment. It was emphasised again that the Assessment only indicated the land available for development within the District, and that no decisions had yet been made about which sites would be chosen for further expansion. The final draft of the Local Plan would be agreed by the full Council before being submitted to the Planning Inspectorate for approval, which was still intended to be in the autumn of 2013.

**Decision:**

- (1) That the “Statement of Community Involvement” be approved for public consultation;
- (2) That, prior to publication, the Portfolio Holder for Planning be authorised to agree any further minor amendments which might be necessary; and
- (3) That the consultation period be commenced on Monday 30 July 2012 and run for 8 weeks until Friday 21 September 2012.

**Reasons for Decision:**

To publish the Statement of Community Involvement for public consultation and meet the statutory requirements for the preparation of a Local Plan.

**Other Options Considered and Rejected:**

To not publish the Statement of Community Involvement for consultation.

To agree an alternative consultation period but which still meets the statutory minimum of six weeks.

**6. LOCAL PLAN ISSUES AND OPTIONS CONSULTATION**

The Forward Planning Manager and Principal Planning Officer presented a report regarding the Issues and Options consultation for the Local Plan.

The Cabinet Committee noted that, following the publication of the National Planning Policy Framework (NPPF) in March 2012, the Council was required to produce an up-to-date Local Plan. The Community Choices consultation document covered a wide range of issues including options for potential growth targets, possible distribution patterns and locations for growth. It also identified a number of policy issues that needed to be addressed, including Green Belt, historic and natural character, transport, economic development and the Community Infrastructure Levy. The consultation period had been proposed to run between 30 July and 21 September 2012.

The Forward Planning Manager reported that chapter four was the key section of the document and potentially the most controversial. This chapter presented the options for the levels of growth that could be included in the Local Plan and the possible strategies for the distribution of this growth. The Council was also under an obligation to take account of the East of England Plan, as it had not yet been abolished, and paragraph 47 of the National Planning Policy Framework, which required the Local Plan to include the assessed needs for market and affordable housing within the District. It was emphasised that this was not a policy document and that the intention was to protect the Green Belt in the District, but it was inevitable that some Green Belt land would have to be released for development in the future.

The Forward Planning Manager stressed that the Council was required to consider all reasonable options during the preparation of the Local Plan and thus more land had been identified for possible development in the document than would actually be required under any of the possible growth options. The proposed consultation was 30 July to 21 September, which Officers acknowledged was not ideal as it encompassed the principal holiday period, but was necessary to achieve the timely preparation of the Local Plan. However, the proposed consultation period was two weeks longer than the statutory minimum of six weeks. The consultation documentation would be published on the Council's website, with hardcopies available for inspection at selected locations around the District – including the Civic Offices. A number of methods would be utilised to encourage the involvement of residents and stakeholders, including social media, mail shots, leaflets, and Road Shows. Respondents would be urged to submit their comments via the new, online response system.

The Principal Planning Officer reported that three different housing targets had been included in the consultation, ranging from 7,700 to 11,500 new homes within the District. In addition, two different employment targets for 3,960 and 3,917 new jobs had also been included. A number of different spatial options were outlined, including the effect of growth on the edge of Harlow within the District. A proportionate distribution pattern had been investigated, i.e. the largest settlements accommodate the largest growth, but it had quickly become clear that Loughton, as the largest settlement, was the most constrained. The presence of the Epping Forest, the River Roding flood plain and strategic areas of the Green Belt within the District also precluded a proportionate distribution pattern.

The Principal Planning Officer stated that the report also detailed a number of different spatial options, including development in or around the railway stations within the District. It was also possible for respondents to suggest alternative growth targets and distribution patterns, provided that they were evidence based. It was important that every reasonable option for future development within the District was considered in an open and transparent way.

The Cabinet Committee was informed that the Sustainability Appraisal had not yet been received from the Consultants. As this was a technical document, it had been proposed that approval be given by the Portfolio Holder, prior to its publication as part of the consultation. There had also been a change to the map for Ongar, as three additional options had been identified since the publication of the agenda.

The Chairman reminded the Cabinet Committee that a number of revisions to the Local Plan budget had been agreed at the Cabinet meeting on 11 June, including a refund of monies spent in relation to the Design & Development Brief for the St Johns Road area in Epping. It was felt that there was now enough funding available for the Consultation, and the contracts had been extended for the temporary staff in Forward Planning to complete the work. The Director of Planning & Economic Development

added that it was important to retain the current experienced staff and was confident that the section was now properly resourced to produce the Local Plan. Work on the Community Infrastructure Levy had been included in the revised budget, which would provide funding for the necessary infrastructure changes for the future development.

Other members present at the meeting highlighted some issues for further consideration by the Cabinet Committee, including the need for agriculture land in future, the Dutch method of zoning growth away from existing large settlements, the need to provide further school places due to the tremendous growth in young children, and the fact that the Central Line was already at full capacity. The Principal Planning Officer responded that Officers were aware of these issues but strategic Green Belt land had been identified to prevent the existing settlements from coalescing, and the Council was not proposing the use of high quality agricultural land for development. There was a separate policy pertaining to large glasshouse developments in the District, and it was also intended for the current urban open spaces to remain as urban open spaces. The Council was looking to make an objective assessment of the required future growth in the District, which was not influenced by any outside bodies or any financial incentive for development.

The average quoted within the consultation of 30 homes per hectare was queried, as the Council could have used an average of 50 homes per hectare for example. Officers acknowledged that the density of development was a key question for the consultation; if more flats were built then less land would be used. An average of 30 homes per hectare was the standard used but the density could be higher or lower. The Chairman added that, although the current trend was for smaller units, a density of 30 homes per hectare was felt to be more appropriate, but agreed that the actual density of development could be higher or lower. It was requested, and agreed by Officers, that an extra column be added to table 4.2 – Housing Target Options on page 79 of the consultation for figures relating to a density of 50 homes per hectare.

It was highlighted that some of the sites identified were currently car parks, including those at London Underground stations. Officers explained that Transport for London had suggested their car park sites should be included as options, but a loss of car parking spaces within the District would be detrimental. The Cabinet Committee was also reminded that sites for affordable housing, and Gypsy and Traveller pitches had to be included within the consultation. The Council risked its Local Plan being found unsound if it did not include a Gypsy and Traveller policy.

The Principal Planning Officer informed the Cabinet Committee that a number of the proposed draft consultation questions required re-wording and additional options added as possible answers. Any suggestions from Members would be welcomed in the period before the draft Questions were published. The Members were also reminded that reasons had to be given for rejecting any of the identified options from the final version of the Local Plan. The Chairman stated that it was planned for a Road Show to visit as many parishes as possible during September, before the consultation closed, and that the Council had to follow the guidelines laid down by the Government in producing their Local Plan.

**Decision:**

- (1) That the “Community Choices – Issues & Options” document be published for public consultation;
- (2) That the Portfolio Holder for Planning be authorised to agree any further minor amendments to the document which might be necessary prior to publication;

(3) That the Sustainability Appraisal for the Issues & Options document prepared by Scott Wilson/URS be approved by the Portfolio Holder prior to publication as part of the consultation;

(4) That the consultation period be commenced on Monday 30 July 2012 and run for 8 weeks until Friday 21 September 2012.; and

(5) That the draft questions attached at Appendix 2 of the report, to guide responses to the consultation document, be agreed subject to any further comments being received by the Portfolio Holder for Planning or Officers prior to publication; and

(6) That the Portfolio Holder for Planning be authorised to agree any further minor amendments to the draft questions prior to the commencement of the consultation period.

**Reasons for Decision:**

To meet the timetable previously agreed by Members to prepare a new Local Plan for the District as quickly as possible.

**Other Options Considered and Rejected:**

To agree an amended 'Community Choices' document for public consultation.

To not agree the 'Community Choices' document for public consultation.

To not delegate authority to the Portfolio Holder to approve the Sustainability Appraisal for publication.

To stipulate an alternative period of public consultation.

To amend or not agree the draft consultation questions for publication.

**7. ANY OTHER BUSINESS**

It was noted by the Cabinet Committee that there was no other urgent business for consideration.

**CHAIRMAN**