
COUNCIL

BULLETIN

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Compiled, designed and produced by
Customer Services Directorate - Governance

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Epping Forest District Council
www.eppingforestdc.gov.uk



PART A - FORWARD DIARY

Key to abbreviations:

CC	Council Chamber	Cab Off	Cabinet Office
CR1	Committee Room 1	CONF	Conference Room (1st floor)
CR2	Committee Room 2	CH OFF	Chairman of Council's Office
MR	Members' Room	TR RM	Training Room
TBD	To be decided	HEM	Hemnall Street Offices.
TBN	To be noted	HH	Homefield House
TBC	To be confirmed	ESC	Epping Sports Centre

Other venues are shown in full.

Week One: 4 March 2019 – 10 March 2019

Monday 4 March	7.00pm	Joint Meeting of Development Management Chairmen & Vice-Chairmen		CC
Tuesday 5 March	7.00pm	Licensing Sub-Committee - Cancelled Youth Council		CC
Wednesday 6 March	6.30pm 7.30pm	Briefing – Area Plans Sub-Committee East Area Planning Sub-Committee East		CR1 CC
Thursday 7 March	7.00pm	Cabinet		CC
Friday 8 March				
Saturday 9 March				
Sunday 10 March				

Week Two: 11 March 2019 – 17 March 2019

Monday 11 March	7.30pm	Local Councils' Liaison Committee		CC
Tuesday 12 March	7.00pm	Communities Select Committee – Cancelled Joint Meeting of Overview & Scrutiny Chairmen & Vice-Chairmen		CR1
Wednesday 13 March	6.30pm 7.30pm	Briefing – Area Plans Sub-Committee West Area Planning Sub-Committee West		CR1 CC
Thursday 14 March				
Friday 15 March				
Saturday 16 March				
Sunday 17 March				

Week Three: 18 March 2019 – 24 March 2019

Monday 18 March	10.00am 7.30pm	Licensing Sub-Committee Extraordinary Council		CC CC
Tuesday 19 March	7.30pm	Neighbourhoods Select Committee		CC
Wednesday 20 March	5.00pm 6.30pm 7.30pm	Epping Forest Local Highways Panel Briefing – Area Plans Sub-Committee South Area Planning Sub-Committee South		CR2 CR1 CC
Thursday 21 March	7.00pm	Finance and Performance Management Cabinet Committee		CC
Friday 22 March				
Saturday 23 March				
Sunday 24 March				

Week Four: 25 March 2019 – 31 March 2019

Monday 25 March	7.30pm	Audit and Governance		CC
Tuesday 26 March	7.00pm	Governance Select Committee		CC
Wednesday 27 March	7.00pm	Overview & Scrutiny Select Committee Framework Task & Finish Panel		CC
Thursday 28 March				
Friday 29 March	7.30pm	Constitution Working Group		CC
Saturday 30 March				
Sunday 31 March				

PART B - GENERAL INFORMATION

1. MEMBER TRAINING 2019/20

I am currently planning the 2019/20 Member Training Program. As ever, it is important that we get the right balance between the essential training and training that will help support you to better serve your constituents.

Would Members kindly take a moment to consider any sessions that they feel would be beneficial. I have listed some suggestions below but please feel free to let me have any other ideas you may have.

- Equal Opportunities and Diversity
- Chiring Meetings - Introduction
- Chiring Meetings – Advanced
- Influencing Skills
- An Introduction to Mediation
- Recruitment and Selection Interviewing
- Business Writing
- Personal Organisation
- Coping Techniques
- Speed Reading on Electronic Devices
- Memory Skills and Mindmapping
- Communication and Interpersonal Skills
- Lone Working and Personal Safety
- Public Speaking – Introduction
- Public Speaking – Advanced
- Facilitation Skills
- Consultation Techniques
- Questioning Skills for Effective Scrutiny

Please email your suggestions to kpartridge@eppingforestdc.gov.uk

(Further information: Kim Partridge ext 4443)

2. PROSECUTION FOR UNAUTHORISED WORKS TO LISTED BUILDING SPICE MASALA RESTAURANT 171 HIGH STREET ONGAR ESSEX

Mr Syed Hussain the leaseholder of Spice Masala Restaurant 171 High Street Ongar, Mr Bradley Walker and Mr John Terry Whitbread the persons employed by Mr Hussain to carry out work to the property were each prosecuted for the offence of carrying out works to the Grade II listed building, Spice Masala Indian Restaurant without authorisation from the local planning authority, Epping Forest District Council, contrary to section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is a strict liability offence subject only to the defence which states:

In proceedings for an offence under this section it shall be a defence to prove the following matters—

- a) that works to the building were urgently necessary in the interests of safety or health or for the preservation of the building;*
- b) that it was not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter;*
- c) that the works carried out were limited to the minimum measures immediately necessary; and*
- d) that notice in writing justifying in detail the carrying out of the works was given to the local planning authority as soon as reasonably practicable.*

All three gentlemen entered 'not guilty' pleas to these offences and the matter was listed for trial on 21 February 2019 in Colchester Magistrates Court

THE FACTS

Mr Hussain is the leaseholder of Spice Masala restaurant on a 12-year lease of the building. Mr Walker is a builder. Mr Whitbread is also a builder who works for Mr Walker.

On 10 January 2018 the Council received a complaint that works were being undertaken to the listed building and Council officers attended the restaurant the same day. It was closed and no one was present but extensive works were being undertaken to the front and both sides of the building which affected its character as a listed building. No authorisation had been obtained for these works. The officers posted a note through the letter box asking the owner to contact the Council's conservation officer and stating that no further works should be carried out.

On 11 January 2018 a call from Mr Hussain. It was explained to him that unauthorised works to a listed building were a criminal offence and that no further works should be carried out.

The officers visited the property again on 12 January by appointment and discovered that, since their visit on 10th January, more works affecting the character of the listed building had been carried out, including in particular the removal of a 19th century window which specifically contributed to the architectural and historic value of the building. Mr Walker and Mr Whitbread were present on site and it was evident that the window, the most recent works, had been carried out by these builders. Mr Hussain was also on site and directing the works carried out by the builders.

In his defence Mr Hussain told the Court that when he had received the note from the Council to stop work at the premises he had informed Mr Walker and Mr Whitbread accordingly. Both Messrs Walker and Whitbread denied that Mr Hussain had told them to stop work. They also stated that Mr Hussain had told them he had permission for the work to be carried out. All the defendants agreed that they knew permission was required and that it had not been obtained. They produced no evidence to show that the work was one to which the exemption against strict liability applied.

The Council's Senior Conservation Officer informed the court that some of the work carried out would have been approved had a proper application been made prior to

the work being commenced. However, the removal of the 19th century window would not have been given approval.

The Magistrates found all three defendants guilty. They stated that Mr Hussain had wilfully flouted planning legislation and he was the sole cause of the work being carried out which was for the betterment of his business. He was fined £1,000 and ordered to pay a contribution towards the prosecution costs of £1,500 and a Victim Surcharge of £100.

They told Messrs Walker and Whitbread that working under instruction was not a defence and they had been negligent and working for gain. The Magistrates stated that it would have been easy to check whether consent for the work had been granted by looking at the Council's website. Messrs Walker and Whitbread were fined a total of £800 and ordered to pay a contribution towards the Council's prosecution costs of £1,300 and Victim Surcharge of £80

(Further information: Graeme Oakley ext 4012)

3. SOUTH-EAST LOCAL ENTERPRISE PARTNERSHIP

Adam Bryan, the Managing Director of the South-East Local Enterprise Partnership (SELEP) will be attending the meeting of the Overview and Scrutiny Committee to be held on 16 April 2019, together with representatives of the Essex Business Board, a local board of SELEP.

If members have any specific questions that they would like to raise with representatives of SELEP and the Essex Business Board at the meeting, please send written notification of such matters to democraticservices@eppingforestdc.gov.uk by 22 March 2019.

In accordance with usual practice, notice of all questions and matters to be raised by members will be provided to Mr. Bryan in advance of the meeting.

(Further information: Steve Tautz ext 4180)

4. JOINT MEETING OF THE O&S CHAIRMEN & VICE-CHAIRMEN - CHANGE OF DATE

Please be advised that the Joint Meeting of the O&S Chairmen & Vice-Chairmen has been moved from 5 March to 12 March at 7.00pm.

(Further information: Vivienne Messenger ext 4265)

5. YOUTH COUNCIL DRUG REPORT (Pages 13 - 40)

Please see attached.

6. TRANSPORT MEETINGS SPRING 2019 (Pages 41 - 44)

Please see attached.

7. CHAIRMAN'S DIARY (Pages 45 - 46)

Please see attached.

LICENSING ACT 2003

None this week

PLANNING

1. Appeals Lodged

None this week

2. Forthcoming Planning Inquiries/Hearings -

25th – 28th February 2019 - EPF/2499/17 – 13 -15A Alderton Hill Loughton Essex IG10 3JD - Demolition of houses at 13, 15 and 15a, Alderton Hill, and the erection of linked blocks of elderly persons apartments, with integrated care facilities (Use Class C2) with supporting amenity facilities, landscaping, 64 car spaces in undercroft parking at the rear and south side of the block, and associated ground works
** This venue for the first day of this appeal, will be at Epping Hall, Epping Town Council, St John's Road. Epping ** The follow days will be at EFDC **

12th March 2019 – 11 Crossfields Loughton Essex IG10 3 PY Erection of new dwelling and detached garage, following demolition of existing garage – Jonathan Doe ext. 4103

14th March 2019 – 12a Alderton Close Loughton Essex IG10 3HQ - Residential redevelopment to provide 4 x 3 bed houses – Ian Ansell ext. 4481

3. Enforcement Appeals

None this week

4. Appeal Decisions

None this week

5. Tree Preservation Orders

TPO/EPF/05/09 – Sheerwood, The Street, Sheering – Effective from 15th February 2019.

TPO/EPF/05/19 – Land at Greensted Road, Ongar, Essex, CM5 – Effective from 22nd February 2019.

6. S106 Agreements

None this week

7. Changes to Planning Systems

None this week

PROPOSED PLANNING ENFORCEMENT ACTION

None this week

It is important to note, that when enforcement action has been authorised, this includes any subsequent action under Part VII of the Town and Country Planning Act 1990, including a prosecution or an injunction.

Principal Planning Enforcement Officer	Jerry Godden	01992 564498
Senior Enforcement Officer	Clare Munday	01992 564114
Planning Enforcement Officers	Sharon Hart	01992 564113
	Jim Gordon	01992 564530
	Zara Seelig	01992 564379
	Mick Mooney	01992 564713
	Shannon Murphy	01992 564217
Compliance Officer		

PART C - PORTFOLIO HOLDER DECISIONS

The notification of decisions taken by individual Portfolio Holders is no longer included in the Council Bulletin.

All members of the Council receive automatic email notification of the publication of each individual Portfolio Holder decision and the call-in period for each decision commences immediately. Members wishing to call-in a decision should complete the attached call-in form and return it to Democratic Services before the expiry of five working days following the publication date of the decision. Members should refer to the Constitution (Article 6 - Overview and Scrutiny) for the rules of call-in.