



NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Tuesday, 5 November 2019 for the purpose of transacting the business set out in the agenda.

A handwritten signature in blue ink, appearing to read 'G Blakemore'.

Georgina Blakemore
Chief Executive

**Democratic Services
Officer:**

Democratic Services Manager Tel: (01992) 564243
Email: democraticservices@eppingforestdc.gov.uk

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564039.

BUSINESS**1. WEBCASTING INTRODUCTION**

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Democratic Services Manager will read the following announcement:

“The chairman would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. MINUTES (Pages 7 - 18)

To approve as a correct record and sign the minutes of the meeting held on 19 September 2019 (attached).

3. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

4. ANNOUNCEMENTS

- (a) Apologies for Absence
- (b) Chairman's Announcements

5. PUBLIC QUESTIONS

To answer questions asked after notice in accordance with the provisions contained within Part 4 of the Council Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Leader of the Council;
- (b) to any Portfolio Holder; or
- (c) to the Chairman of the Overview and Scrutiny Committee.

Any further questions, will follow if not received in time to be incorporated into the agenda.

Question by D Rye to the Contracts and Technical Services Portfolio Holder

“At the last council meeting I attended, when questions were put to this council regarding the TFL issue in Chigwell. Members were clearly told that the work that was being undertaken by TFL was, and I quote ‘ Emergency work to the embankment with regard to the subsidence’.

I wish to inform the council that since September, apart from erecting hoarding, there has been absolutely no work carried out on the embankment, nor will there be until, quote 'Spring 2020'.

Considering that potentially no work will be carried out for at least 6 months, at a time when there is more chance of subsidence due to adverse weather; does the council still consider this as emergency work and what action will it take to ensure that any extension on the lease of land in Lechmere Ave is adhered to by TFL and that TFL will not be allowed continuous extensions to this lease for months or years to come, regardless of the amount of money it is paying EFDC for the privilege to use this land?"

6. QUESTIONS BY MEMBERS UNDER NOTICE

To answer questions asked after notice in accordance with the provisions contained within the Council's rules in Part 4 of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to any Member of the Cabinet; or
- (d) the Chairman of any Committee or Sub-Committee.

The Council's rules provide that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

7. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET (Pages 19 - 42)

To receive reports and any announcements from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Business Support Services Portfolio Holder (attached);
- (c) Report of the Commercial and Regulatory Services Portfolio Holder (attached);
- (d) Report of the Community and Partnership Services Portfolio Holder (attached);

- (e) Report of the Contract and Technical Services Portfolio Holder (attached);
- (f) Report of the Customer Services Portfolio Holder (attached);
- (g) Report of the Housing and Property Services Portfolio Holder (attached);
- (i) Report of the Planning Services Portfolio Holder (attached); and
- (j) Report of the Strategic Projects Portfolio Holder (attached).

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Council's rules provide for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under the previous item; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

The Council's rules provide that answers to questions without notice may take the form of:

- (a) a direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Service Director.

In accordance with the Council's rules, a time limit of thirty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further ten minutes at their discretion.

9. MOTIONS

To consider any motions, notice of which has been given under the Council's rules.

Motions, if any, will follow if not received in time to be incorporated into the agenda.

10. CONSTITUTION WORKING GROUP (Pages 43 - 46)

(Councillor S. Jones) To consider the attached report of the Working Group arising from its meeting on 24 September 2019.

11. CONSTITUTION - SCHEME OF DELEGATION (Pages 47 - 84)

To consider the attached report of the Monitoring Officer.

12. MORETON, BOBBINGWORTH AND THE LAVERS NEIGHBOURHOOD PLAN (Pages 85 - 86)

(Planning Portfolio Holder) To consider the attached report.

13. OVERVIEW AND SCRUTINY COMMITTEE

(Chairman of the Overview and Scrutiny Committee) To answer any questions without notice asked in accordance with Council Rules.

14. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

(a) To receive from Council representatives, reports on the business of joint arrangements and external organisations and to answer to any questions on those bodies which may be put without notice; and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

15. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Info
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers: Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee:	Council	Date:	19 September 2019
Place:	Council Chamber, Civic Offices, High Street, Epping	Time:	7.30 - 9.55 pm
Members Present:	Councillors R Bassett (Chairman), H Kane (Vice-Chairman), N Avey, R Baldwin, A Beales, N Bedford, P Bolton, H Brady, R Brookes, L Burrows, D Dorrell, S Heather, R Jennings, S Jones, S Kane, H Kauffman, P Keska, J Knapman, Y Knight, J Leppert, C McCredie, M McEwen, J McIvor, L Mead, A Mitchell, G Mohindra, R Morgan, S Murray, S Neville, M Owen, A Patel, J Philip, D Plummer, C P Pond, C C Pond, S Rackham, C Roberts, D Roberts, B Rolfe, B Sandler, J Share-Bernia, P Stalker, S Stavrou, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley		
Apologies:	Councillors G Chambers, I Hadley, J Jennings, J Lea, A Lion and M Sartin		
Officers Present:	G Blakemore (Chief Executive), T Carne (Corporate Communications Manager), N Dawe (Interim Strategic Director & Chief Financial Officer), R Perrin (Democratic Services Officer), P Seager (Chairman's Officer) and S Tautz (Democratic Services Manager)		

30. WEBCASTING INTRODUCTION

The Democratic Services Manager reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

31. FORMER COUNCILLORS F. LIMER, P. PENNELL & S. PERRY

The Chairman informed members that former Councillors F. Limer, P. Pennell and S. Perry had recently passed away.

Freddy Limer had represented the Epping and the Epping Hemnall Ward of the District, as a Conservative Councillor from 1974 to 1986. He became the Vice Chairman in 1982/83 and Chairman of Council in 1983/84. He had also served on many of the Council's committees, working groups and outside bodies during this time.

Philip Pennell had represented the Waltham Abbey West Ward of the District from 1990 to 2002. He had served on many of the Council's committees, working groups and outside bodies during this time.

Sue Perry had represented the Epping Hemnall Ward of the District from 2004 to 2007. She had served on many of the Council's committees, working groups and outside bodies during this time.

Members paid tribute to the memory of the former District Councillors and stood for a minute's silence in their memory.

32. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 30 July 2019 be taken as read and signed by the Chairman as a correct record.

33. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor M Owen declared a personal interest in agenda item 10 (Motions – Climate Emergency) by virtue of the mentioning of Aranco Oil Co in the debate and his employer concluding business with the company. Councillor M Owen stated he would abstain from voting on this item.

34. ANNOUNCEMENTS

(a) The Chairman's Announcements

The Chairman advised that he had attended a memorial service at St Andrew's, North Weald with the 56 Squadron in remembrance of the Battle of Britain.

The Chairman asked members to support a charity event he would be holding in aid of Essex Young Carers, which would be held on 28 October 2019 at Papillon, Chigwell.

Furthermore, he would also be hosting another a business networking event on 28 November 2019, which would bring together local businesses.

(b) Flowers

The Chairman announced the he intended to send the flowers from the meeting to Parsonage Court, Rectory Lane, Loughton.

35. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions under notice that had been submitted for consideration at this meeting.

36. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no members questions under notice that had been submitted for consideration at this meeting.

37. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET

The Council received written reports from Portfolio Holders. The Chairman invited the Leader of Council to provide an oral report and the opportunity for other members of the Cabinet to give updates on matters concerning their relevant portfolios.

(a) The Leader of the Council

Councillor C Whitbread reported that the Cabinet had recently agreed the Asset Strategy, which would enable the Council to pursue development opportunities within the District, increase the Council's revenue stream and to identify potential housing development sites.

Furthermore, the Government had granted special permission for a new lease of land at North Weald Airfield, to Her Majesty's Revenue and Customs. It would be for HGV parking and associated facilities for the operation of checking documentation of companies importing and exporting high value goods. Notification would be sent to 1400 residents and contact details would be made available. The Council had negotiated £50,000 for North Weald Parish Council and the same amount would be given to the Local Highways Panel for schemes in the District. Other funding would also be put into the master planning and green space.

In addition, progress continued with the St John's Road, Epping development and a report would be coming forward to the Cabinet meeting on 5 December 2019, along with the land transfer development.

He had also met with Princess Alexander Hospital and the West Essex Clinical Commissioning Group (CCG), to engage in the significant changes proposed across health and social care in Essex and were working closely with the Sustainability and Transformational Partnership (STP).

Finally, the Essex Leaders and Chief Executive meeting discussed many issues facing the county, which included ideas around bringing empty properties back into use and preparations for Brexit.

(b) Planning Services Portfolio Holder

Councillor Philip advised that the Council had been successful in a Government funding bid for £50,000, to tackle illegal development in the green belt.

(c) Business Support Services Portfolio Holder

Councillor Stavrou advised that the Valuation Office had determined in favour of the company wishing to reduce their business rate exposure, which amounted to over £1.1 million. A provision had been set aside for such cases and other authorities and the Government were due to take a share of the loss, later in the financial year.

(d) Housing and Property Services Portfolio Holder

Councillor H Whitbread advised that members were welcome to attend the opening ceremony of the new affordable flats in Burton Road on 8 November 2019.

Furthermore the Parliamentary Under Secretary of State (Minister for Local Government and Homelessness) Luke Hall MP visited the District to look at the homeless pods in North Weald and Norway House.

(e) Community and Partnership Services Portfolio Holder

Councillor Bedford updated members on issues concerning stolen and cloned number plates and the successful actions of the Community Police.

38. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Local Plan

Councillor Mohindra asked the Planning Services Portfolio Holder to give an update on the Local Plan.

Councillor Philip advised that the interim letter from the Planning Inspector had been received. The majority of the comments were positive and there had been no indications that the Council had failed in its duty to co-operate or had been found legally unsound. There were a number of things which the Council would need to take on board and do work with, and the Council intention was to write back to advise of these actions once an agreed schedule had been agreed.

The Inspector had identified actions required to update the Habitats Regulation Assessment modelling and the impact on the Epping Forest Special Area of Conservation. This required further work and it had been unfortunate that Natural England had made no indication that they were unhappy with the Council's methodology until the deadline for the statements to support the hearing sessions for the examination of the Local Plan. Furthermore, there had been changes arising from recent court cases and updates to DEFRA guidance which would need to be taken on board. Therefore in combination with other changes required for sites at Limes Farm, Jessel Green, the convent in Chigwell, a site in Roydon, South Epping and the phasing of development of Harlow East, it had been envisaged that it may take some time to complete and he would continue to report on progress through the Local Plan Cabinet Committee.

(b) Natural England Implications

Councillor Knapman asked the Planning Services Portfolio Holder when the Council would know about the air quality mitigation strategy for new dwellings in the District, as it was having a detrimental financial effect on small development businesses because of planning applications being granted but not issued.

Councillor Philip advised that he recognised the issues it had been causing local developers and the council had been working towards addressing these problems and looking at ways to grant the smaller developments and fulfil Natural England's requirements. Although, since some of the material planning considerations had changed in between the granting of planning applications, both delegated and committee decisions would need to be relooked at before the applications were issued. If anything changed in-between now and the next Council meeting, he would advise members.

(c) Parking Issues on Cascade Road, Buckhurst Hill

Councillor Neville asked the Contract and Technical Services Portfolio Holder whether a solution had been found for the parking on grass verges at Cascade Road, Buckhurst Hill.

Councillor N Avey advised that he agreed with the Ward Councillor, that yellow lines in this area would not be the right answer and he would consult with officers about other solutions, previous discussed. He would also conduct a site visit.

(d) Traffic Infrastructure Considerations

Councillor Avey asked the Planning Services Portfolio Holder whether he could give assurances to residents about traffic infrastructure issues in relation to sites set out in the Local Plan; and in particular the Water Lane site in Roydon.

Councillor Philip advised that this area came under both the Local Plan and the Harlow and Gilston Garden Town. There had been significant work carried out and one of the visions for the Garden Town was for a corridor of sustainable transport. Its aim were to reduce of reliance on private vehicles by 60% with the infrastructure

requirements being considered in relation to the cost of the developments, which would further reduce the burden on the surrounding infrastructure. In addition, infrastructure was also being considered separately in Epping Forest, Harlow and East Herts Local Plans.

(e) New Affordable Housing at Davis Court

Councillor Murray asked the Housing and Property Portfolio Holder, whether the family of the Former Councillor Joan Davis had been invited to the opening ceremony of the Council Housing at Burton Road, named in her honour.

Councillor H Whitbread advised that the family had been invited and were attending.

(f) Homelessness Conference

Councillor Bolton asked the Housing and Property Portfolio Holder for further information on the RESI (Residential Sector) Convention she had attended in relation to the Council's approach to homelessness; and whether she had any feedback from users of the homelessness pods in North Weald.

Councillor H Whitbread advised that she had been approached by RESI to sit on the 'trail blazers' panel, where many ideas and solutions had been put forward to deal with homelessness issues across the country.

She advised that all but one of the pods were being used and users were finding the facilities acceptable. The pods were preferable to bed and breakfast accommodation as it allowed independent living.

(g) Waltham Abbey Recycling Centre

Councillor Dorrell asked the Contract and Technical Services Portfolio Holder whether he would join him and other members to make representations to Essex County Council in regards to reversing or relaxing both the reduction in opening hours and the strict controls on the permitted waste at Waltham Abbey recycle centre.

Councillor Avey stated that fly tipping was reaching epidemic levels across the District. He advised that it was strange that Essex County Council could not see the correlation between the introduction of restrictions and the increase in fly tipping and that it was counter intuitive. He thanked Biffa for the work they were doing in order to collect the fly tipping.

(h) Accommodation Strategy

Councillor J M Whitehouse asked the Leader for an update on the feasibility of the land to the rear of the Civic Offices and the possibility of the new building at North Weald, in relation to the informal Call-In at the start of the year.

Councillor C Whitbread advised that a report would be coming forward to Cabinet on 31 October 2019, which would give members further information.

(i) St John's Road Development

Councillor Burrows asked the Leader whether he could give a more detailed update on the St John's Road, Epping development.

The Leader advised that the Council was making progress in consultation with other partners and the Cabinet were considering options. The consultants report would be considered shortly, and a report would be brought to the Cabinet on 5 December 2019.

(j) Permits for the Waste Recycling Centres

Councillor Plummer asked the Contract and Technical Services Portfolio Holder whether the Council would pursue Essex County Council for permits to allow small vans and trailers to deposit residential renovation waste at Waltham Abbey recycling centre.

Councillor Avey advised that he would pursue this idea with Essex County Council, as it would prevent the issue of fly tipping in the District.

(k) Anti- Idling

Councillor J H Whitehouse asked the Commercial and Regulatory Services Portfolio Holder whether an environmental officer could be sent to Berry Road, Epping as residents were experiencing car idling at school drop off and collection times; How the educational clean air campaign was progressing; and whether he agreed that there was a discrepancy between Fixed Penalty Notices for air pollution and other Fixed Penalty Notices for litter and parking?

Councillor Patel advised that officers followed the legislation when issuing Fixed Penalty Notices for air pollution, which involved an officer being present, observing, giving a warning and then to issue the Fixed Penalty Notices to offender.

Regarding the promotion of anti-idling, the Public Health Team had five banners available that could be placed around the District and members were welcome to suggest areas. The Council would also raise the issue with schools in the District.

(l) Overcrowding on Central Line

Councillor C C Pond asked the Planning Services Portfolio Holder whether the Council would meet with Transport for London regarding the over crowding issues experienced by residents on the Central Line.

Councillor Philip advised that the Council had discussed the over crowding issues with Transport for London on the Central Line. Furthermore Transport for London had attended an Overview and Scrutiny Committee and the Council would continue dialog with Transport for London in the future.

39. MOTIONS

(a) Climate Emergency

Moved by Councillor S. Neville and seconded by Councillor J. Philip

“That the Council notes that:

- i. humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350-ppm deemed to be a safe level for humanity;

- ii. in order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO₂eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;
- iii. individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;
- iv. carbon emissions result from both production and consumption;
- v. Epping Forest District Council has already shown foresight when it comes to addressing the issue of Climate Breakdown, having signed the Nottingham Declaration on Climate Change, written an Environment Sustainability Policy and Action Plan, and have worked to use renewable energy and energy efficiency and have had a Green Working Party driving the agenda for some years;
- vi. unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement's 1.5°C limit before 2050;
- vii. the IPCC's Special Report on Global Warming of 1.5°C, published in the autumn of 2018, describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise, and told us that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities;
- viii. councils and Parliaments around the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency;

That the Council believes that:

- ix. all governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of Epping Forest District and the UK that local authorities commit to carbon neutrality as quickly as possible;
- x. the consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority;
- xi. bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide); and

That the Council resolves to:

- xii. declare a 'Climate Emergency';
- xiii. pledge to do everything within the Council's power to make Epping Forest District Council area carbon neutral by 2030;
- xiv. call on Westminster to provide the powers and resources to make the 2030 target possible;

- xv. work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
- xvi. continue to work with partners across the district and region to deliver this new goal through all relevant strategies and plans;
- xvii. in the special circumstances of this district, resolves to protect the Special Area of Conservation through the Local Plan and every other means; and
- xviii. implement an Air Quality Strategy and bring forward sustainability guidance on planning.”

Amendment moved by Councillor H. Whitbread and seconded by Councillor S. Neville

“ That the Council engage with young people when considering the issue of climate change and appoint a ‘Youth Ambassador’ from the Epping Forest Youth Council.”

Carried

Motion as amended ADOPTED

RESOLVED:

That the Council notes that:

- (i) humans have already caused irreversible climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric CO2 levels are above 400 parts per million (ppm). This far exceeds the 350-ppm deemed to be a safe level for humanity;
- (ii) in order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as a species reduce our CO2eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;
- (iii) individuals cannot be expected to make this reduction on their own. Society needs to change its laws, taxation, infrastructure, etc., to make low carbon living easier and the new norm;
- (iv) carbon emissions result from both production and consumption;
- (v) Epping Forest District Council has already shown foresight when it comes to addressing the issue of Climate Breakdown, having signed the Nottingham Declaration on Climate Change, written an Environment Sustainability Policy and Action Plan, and have worked to use renewable energy and energy efficiency and have had a Green Working Party driving the agenda for some years;
- (vi) unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement’s 1.5°C limit before 2050;

- (vii) the IPCC's Special Report on Global Warming of 1.5°C, published in the autumn of 2018, describes the enormous harm that a 2°C rise is likely to cause compared to a 1.5°C rise, and told us that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities;
- (viii) councils and Parliaments around the world are responding by declaring a 'Climate Emergency' and committing resources to address this emergency;

That the Council believes that:

- (ix) all governments (national, regional and local) have a duty to limit the negative impacts of Climate Breakdown, and local governments that recognise this should not wait for their national governments to change their policies. It is important for the residents of Epping Forest District and the UK that local authorities commit to carbon neutrality as quickly as possible;
- (x) the consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority;
- (xi) bold climate action can deliver economic benefits in terms of new jobs, economic savings and market opportunities (as well as improved well-being for people worldwide); and

That the Council resolves to:

- (xii) declare a 'Climate Emergency';
- (xiii) pledge to do everything within the Council's power to make Epping Forest District Council area carbon neutral by 2030;
- (xiv) call on Westminster to provide the powers and resources to make the 2030 target possible;
- (xv) work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
- (xvi) continue to work with partners across the district and region to deliver this new goal through all relevant strategies and plans;
- (xvii) in the special circumstances of this district, resolves to protect the Special Area of Conservation through the Local Plan and every other means;
- (xviii) implement an Air Quality Strategy and bring forward sustainability guidance on planning; and
- (xix) engage with young people when considering the issue of climate change and appoint a 'Youth Ambassador' from the Epping Forest Youth Council."

40. ASSET MANAGEMENT STRATEGY - PROPERTY ACQUISITION STRATEGY

Mover: Councillor A Patel, Commercial and Regulatory Portfolio Holder

Councillor A Patel submitted a report regarding a supplementary capital loan of up to £30 million for the purpose of general investment opportunities that were subject to the criteria outlined in the Asset Management Strategy (approved by Cabinet on 13 June 2019).

Councillor S Murray requested the right for his individual vote to be recorded. Namely that he voted against the recommendation.

Report as first moved **ADOPTED**

RESOLVED:

That a supplementary capital loan of £30 million for the purpose of general investment opportunities be approved.

41. REPRESENTATION ON OUTSIDE ORGANISATIONS (LEADER APPOINTMENTS)

Mover: Councillor C Whitbread (the Leader)

Councillor C Whitbread reported revised Leader Appointments in relation to the Council's representation on outside organisations.

Report as first moved **ADOPTED.**

RESOLVED:

That the following Leader appointments be made for the remainder of the 2019/20 municipal year;

- (a) Health and Wellbeing Board – Councillor A. Patel, Councillor N. Bedford;
- (b) Economic Board – Councillor A. Patel; and
- (c) Tourism Board – Councillor R. Bassett.

42. APPOINTMENT OF CO-OPTED MEMBER TO THE AUDIT AND GOVERNANCE COMMITTEE

Mover: Councillor J Knapman, Chairman of Audit and Governance Committee

Councillor J Knapman reported that one of the two co-opted members of the Audit and Governance Committee had served their second three year term of office, and if they wished to serve any further it would subject to a competitive selection process.

Mr T. Jarvis had indicated that he wished to serve for a further three years. Therefore in accordance with the procedures to recruit a Co-Opted Member set out in Article 11 of the Council's Constitution for Audit and Governance Committee, a Panel of four Councillors needed to be appointed.

The second co-opted member on the Audit and Governance Committee indicated that due to other commitments, she could not guarantee her availability for the interview panel. Therefore, she would be appointed as an advisory, non voting member of the interview panel.

Report as first moved: **ADOPTED**

RESOLVED:

- (1) That a Panel of four Councillors be appointed, including the Chairman of Audit & Governance, with delegated authority to undertake the interviews following public advertisement and to appoint the preferred candidate for the vacant Co-Opted Member position on the Audit & Governance Committee;
- (2) That pro rata rules not be applied to the Panel;
- (3) That the following 4 Councillors be appointed to the Interview and Selection Panel:
 - (a) Councillor J Knapman – Conservative group;
 - (b) Councillor R Jennings – Loughton Residents Association group;
 - (c) Councillor S Heap – Green Party group; and
 - (d) Councillor J M Whitehouse - Liberal Democrats group; and
- (4) That Ms. N Nanayakkara, the other co-opted member on the Audit & Governance Committee, be invited to attend the interviews in an advisory, non-voting capacity.

43. OVERVIEW AND SCRUTINY COMMITTEE

Councillor B Jennings advised that the last Overview and Scrutiny Committee scheduled for 3 September 2019 had been cancelled due to the unavailability of an external organisation and that none of the select committees had met since the last meeting.

Councillor S Murray advised that he was concerned with the cancellation of the Overview and Scrutiny Committee and hoped that this would not occur again.

44. CALL- IN AND URGENCY - PROPOSED LETTING OF LAND AT NORTH WEALD AIRFIELD TO HER MAJESTY'S REVENUE AND CUSTOMS

The Council noted that the Vice-Chairman of the Council (in absence of the Chairman) had agreed that the following decision be treated as a matter of urgency and not subject to call in:

(a) Proposed Letting of Land at North Weald Airfield to Her Majesty's Revenue and Customs

(1) The Cabinet agreed to the approval of a new lease of land at North Weald Airfield to Her Majesty's Revenue and Customs for HGV parking and associated facilities to allow the operation of the checking of documentation for companies importing and exporting high value goods.

(2) Alongside the more formal agreement concerning the use of the Airfield, the Cabinet agreed to seek other benefits from the Ministry of Housing, Communities and

Local Government in terms of infrastructure, planning, information exchange and other legacy benefits.

45. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

(a) Epping Forest Local Liaison Group

Councillor B Jennings asked that a report be brought forward by members appointed to the Epping Forest Local Liaison Group.

(b) Health and Wellbeing Board

Councillor C Whitbread advised that he would bring an update on the Essex Health and Wellbeing Board, to a future meeting.

CHAIRMAN

Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Business Services Portfolio

Portfolio Holder: Councillor S Stavrou

Recommending:

That the report of the Business Services Portfolio Holder be noted

Accountancy

At this stage the main activity for Accountancy is putting together a draft 2020/21 Budget and Medium Term Financial Strategy along with the plans and priorities of the Council. To date accountants have met with all the services, have agreed a formulaic approach to building budgets and reviewed staffing costs in detail so that staff establishments can remain consistent for the next seventeen months at least. In addition, a formulated list of developments and funding sources have been pulled together for consideration by Cabinet, in the first instance. In November these plans and proposals will be further developed and a review of the capital programme and use of the District Development Fund will take place.

Accountancy have reviewed our reporting practices and have drafted a new monthly summary financial report that will be made available shortly and be an agenda item at meetings in the future.

The work on our Final Accounts is almost completed with five follow up question posed by the External Auditors all of which have now been answered. We have not been notified of any adjustments over and above those reflected in September. The Auditors are due to formally report back at the Audit Committee meeting in November with Council approval as soon as practical after that. An improvement plan is in progress so working papers and process will be as expected in future years.

Various business entities have been set-up reflecting the Cabinet's new approach to asset ownership and development and basic accounting support is being given to this initiative.

Financial input apart from day to day support to the authority's services, has also been input into key projects such as; Accommodation Strategy, HMRC Custom Clearance Facility (North Weald), Development Company financial and tax modelling issues and a revision to our cash flow planning and treasury management arrangements.

People Strategy

Apprentices

Stronger Council Select Committee heard from 5 of our previous Cohort of Apprentices, who are in Higher Apprenticeship roles. The Apprentices provided members with insight into their learning, placements and progress into the roles they are currently in. Members also heard from our Management Trainee, previously a Business Administration/Customer Service Apprentice, who is now undertaking a Management Degree at Anglia Ruskin University. Our new Cohort of apprentices, who joined the Council in September, introduced themselves to the Committee. They are working in different teams across the Council including three Construction Apprentices.

The Council is expected to meet a government set target of 2.3% of the workforce being apprentices, which equates to 15 posts. We currently have 24 apprentices.

Common Operating Model - Council Restructure

The Council has formally consulted with staff over the proposals for the current restructure which ended on 23 October 2019. Recruitment has continued into the Team Manager roles and currently there are 4 vacant roles which need to be filled.

Policy Development

HR are currently reviewing current Flexible Working policies to assist the Accommodation and ICT Strategies to enable an agile workforce

ICT

The overall ICT Strategy remains under review, however, an interim Transformation Plan is in place with Itica, which includes finding solutions to high priority challenges, such as improving the experience that employees have whilst working flexibly. Whilst the review is ongoing, ICT are focusing on supporting the Accommodation Review and the roll out of Office 365. The team are continuing to migrate mailboxes to the cloud and are putting a training package together for O365 teams, for further roll out across the organisation. Itica are also due to start an options appraisal for our server provision/cloud based options.

LLC/HM Land Registry (HMLR) Data Migration Project

There has been no movement on the HMLR Data Migration Project since the previous update, as HMLR are yet to advise us which migration cohort we will be included in. We are continuing to maintain a positive relationship with HMLR and we are preparing for the project where possible.

Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Commercial and Regulatory Services

Portfolio Holder: Councillor A Patel

Recommending:

That the report of the Commercial and Regulatory Portfolio Holder be noted

I am pleased to report that an on-line reporting process for the registration of food premises is being introduced. Those wishing to set up a food business must Register with the local authority and at present we receive registrations via a pdf from Govt website, e-mail or by hard copy and Council staff then enter the information onto the database. In the very near future the applicant will be able to complete the registration on-line which will automatically upload onto the EFDC property data base. This will be a simpler process for our customers and will also save officer time.

I can also advise that officers have erected banners promoting anti idling in response to complaints received relating to idling around a couple of schools. The schools have also been given information to send out via parent e-mail and social media highlighting the idling issue and asking for their co-operation. Officers will continue to monitor the situation and undertake visits as and where appropriate.

Regarding the 'Home from Hospital project' which has been running since April 2019, I can advise members that Essex County Council, in partnership with Epping Forest District Council, Harlow District Council and Uttlesford District Council has commenced a 1-year pilot scheme, with the employment of a Senior Occupational Therapist (OT) in Housing, to facilitate the early discharge of patients from hospital to return home and live independently. The post is jointly funded from the Integration and Better Care Fund and managed by Adult Operations (Hub of Independent Practitioners) at ECC.

The pilot scheme enables the Senior OT to work exclusively in housing across the 3 Districts in partnership with housing officers to facilitate the safe and early discharge of residents from hospital, residential or nursing home placements, hospices and to assist the smooth progress of the Disabled Facilities Grant recommendations. This includes working with adults and children with life-limiting conditions and life-altering injuries, in which their home environment does not suit their needs, to prevent formal care placements and ensure they can remain independent in the community. To date the Senior OT has dealt with 49 referrals primarily from St Margaret's Hospital, Princess Alexandra Hospital, St Clare's Hospice, Intermediate Care Team and the Re-enablement Team.

The Licensing Committee considered several reports at its October 2019 meeting. [New animal welfare regulations](#) were introduced in October 2018 updating section 1 of the Pet Animals Act 1951. The new Regulations require a robust inspection and reporting regime and require inspecting officers to be qualified to NVQ Level 3 by October 2021. As a result, the licensing team have introduced new inspection processes for all premises and officers will be starting the NVQ training this November.

The Regulations also allow the licensing authority to recover all its reasonable costs in carrying out its licensing function, without making a profit. The officer time spent in administering this licensing function is considerably more than previously anticipated. A benchmarking exercise and cost recovery calculation has been carried out based on officer time and associated costs, in accordance with Government guidance and the new fees, presented to the Licensing Committee will be recommended to Cabinet as part of the Council's overall fees and charges schedule for 2020/21.

The Licensing Committee also agreed the proposal to introduce on-line Disclosure and Barring checks (previously known as criminal record checks) on all applicants for taxi licences which will be simpler and less time consuming to update; also the licensing team will no longer have to process a new application at the renewal stage and the on line check will provide immediate information whereas the current system may take several weeks for information to be received. The current taxi licence conditions will be amended to include the new requirement for the applicant to subscribe to the DBS Update Service and to give consent for access by Council Licensing Officers

Finally, the Licensing Committee agreed, following an officer report, to the waiver the fees for Road Closures for the 75th Anniversary celebrations of VE day, during the May 2020 bank holiday weekend. This will include applications from Town or Parish Councils, charities or members of the public. Any Consent to a Road Closure will however be subject to the applicant carrying out the necessary consultation with the responsible authorities and Council could still refuse an event if it did not think it was sufficiently well organised.

North Weald Airfield

In preparation for Brexit HM Revenue and Customs have entered into a lease with the council and are now occupying a part of the airfield adjacent to Rayleigh Lane. This will be the site of a Common Transit Convention (CTC) checking area which will be used to provide Customs paperwork checks for goods on lorries prior to their departure to Europe via the port of Dover. The lease will last until December 2020 by when it is anticipated that more permanent arrangements will be made to accommodate these checks elsewhere.

Members will be aware that there is a requirement in the Local Plan Submission Version for a Masterplan to be prepared for the Airfield. I am pleased to inform you that work has now started on this and a full report will be made to Cabinet in March 2020.

Landmark Building

The lease for Unit F has now completed and the fit-out works for the pub have commenced. Estimated opening is November 2019. The tenants are in the process of submitting the necessary planning and building regulation applications.

We now have terms agreed for Units A to a fitness centre / gym who has two other premises in the local area.

Unit G has firm interest from a health & fitness operator and we are currently firming up these interest before proceeding with the best offer.

Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Community & Partnerships Services

Portfolio Holder: Councillor N Bedford

Recommending:

That the report of the Community & Partnerships Portfolio Holder be noted

Community Resilience

EFDC Funded Police Officers: I am pleased to report that the district is continuing to perform very well in reducing crime. Our latest figures show that all burglary is down by over 24% compared with the same period last year and vehicle crime is down over 3%. This has been achieved through good professional policing of the district and excellent partnership working.

It also reflects the work of our dedicated police team who have been very busy carrying out pro-active intelligence led policing, concentrating on robbery, burglary and auto-crime offenders. They have become very skilled in interpreting the technical intelligence assets and CCTV we have in the area, which allows them to plan interception routes to stop those active criminals travelling to the district. Examples of other work undertaken is below;

- The team were recently involved in stopping a car linked to Range Rover thefts in the Buckhurst Hill area, which resulted in the driver being later arrested and receiving 3 months imprisonment for assaulting an emergency worker and other offences.
- In work with Metropolitan Police colleagues they tracked a suspect they had identified for a house burglary in Chigwell, to an address in Ilford. The male suspect was arrested and due to the evidence of identification presented by our officers was convicted of burglary at Snaresbrook Crown Court. The male is remanded in custody awaiting sentence.
- They responded to a call for assistance from the public in Buckhurst Hill where a male had brandished a knife and slashed a female victim. They had to climb to a first floor balcony where they located the suspect who was arrested and has since been charged with causing grievous bodily harm and remanded in custody.
- As part of rural crime week in October the team carried out joint patrols with the council's uniformed Environmental Enforcement Officers. They specifically patrolled areas of regular fly-tips. This provided an insight and understanding of the working practice of both teams and an enhanced level of local knowledge of rural locations.
- The team are taser trained and carry the devices with them whilst on duty. Members might be interested to know the team have recently qualified on the upgraded taser unit which they now have for deployment. They are required to respond to threat to life incidents and have recently attended incidents in Ongar, Chigwell, and Loughton.

The team have additionally planned and prepared the operational response for deploying policing resources across the district over Halloween and fireworks night. Our police team will be joining forces with the councils' CCTV officers and local police resources. The CCTV officers will provide live updates of any public disorder in the district helping to ensure swift police attendance, evidence of offences and identification of offenders. Our CCTV office is equipped with police Airwave radio which will allow direct contact with police resources on the ground. Our Community Safety Officer and volunteer Crime Prevention Advisor will also be on hand to carry out any reassurance visits to vulnerable residents that the police refer.

CCTV: In recent weeks the CCTV team has undertaken a range of work with external and internal colleagues, as below;

- Worked closely with Metropolitan Police on serious crime, attempted murder & arson of vehicle.
- Assisted Car Park & Street Furniture Team establish how damage to Car Park Pay Machines is being executed.
- Identified vehicle used to illegally remove Groundworks Machinery from Oakwood Hill Depot.
- Ongoing success working closely with EEO's on Fly Tipping offences within district and Fixed penalty Notices and Rural Crime week operations.
- Installation of 9 CCTV cameras at Burton Road now complete
- Pyrles Lane Shopping parade -Upgrade of existing CCTV system & cameras to an IP platform
- Watchdog Monitoring Software implemented on 3 keys sites with scope to introduce at other sites in the future.
- North Weald Parish Council were supported with provision of a Rapid Deployment Camera to help combat Anti-Social Behaviour at a location within the parish.

A revised CCTV Strategy 2019 – 2025 has been completed, which will be presented to Cabinet at end of October 2019, which includes information about the CCTV service provision across the district, which includes 823 CCTV cameras over 62 sites.

Environmental Enforcement: In the last 7 weeks, our team has received 798 complaints or service requests. Although each one of these incidents has been responded to, particular action of note includes;

- S.80 Abatement notice served for a bonfire in B/Hill
- 5 Community Protection Warnings and S.46 Environmental Protection Act (EPA) notices served against 5 properties in Waltham Abbey due to frequently presenting their rubbish incorrectly and failing to manage their bin areas (Failing to comply with a S.46 notice carries a civil penalty of £60). The Council has also provided locks for the EFDC household waste bins, which officers report has had a noticeable decrease in incidents of fly tipping and poor waste management around the bins.
- A S.47 EPA notice served on a Commercial Property in W/A for failing to manage their waste collection service adequately. (Failing to comply with a s.47 notice carries an FPN of £100 (£60 if paid within 14 days).
- Works in default to ensure compliance with a Community Protection Notice were carried out on a property in Barfields, Loughton, to remove waste and a caravan from the front of the Council property. The resident will be recharged for these works.

Monitoring is continuing to identify effectiveness of the littering campaign run by the Cleaner Essex Group. The campaign is due to finish at the end of October.

Safeguarding: An in-house Enhanced Safeguarding Training has been developed with over 184 frontline staff having been trained. An additional tailored course for Trades/Housing Repairs/Grounds Maintenance/Caretaking staff has also been developed and 103 members of these staff have been trained to date.

We continue to receive a steady stream of safeguarding referrals with an average of 40 cases per month. Referrals from these cases tend to be split equally between Social Care and other support agencies, with the remainder to Essex Police and Mental Health services.

Community, Culture & Wellbeing

National Lottery Fund success – Aquatic Activity for Health

£9,750 has been secured from the National Lottery's "Awards for All" fund to develop and deliver Aquatic Activity for Health project, which is designed to support individuals with Neuro and Musculoskeletal conditions to improve their health and wellbeing via water-based exercise. Key partners including; St Margaret's Hospital, local physiotherapists, community rehabilitation services, Places for People, Swim England and the Institute of swimming will be involved in the project, which also aims to provide a social platform to prevent social isolation which is common with these conditions. The project will enable partners to ensure a better care pathway for individuals through an improved partnership network to reduce demand on NHS services. This will be a one-year pilot with a view to becoming self-sustainable after year one and will launch in January 2020. The project will reflect the latest industry developments, and referral criteria will work in line with the National Institute of Clinical Excellence (NICE) and Swim England guidance. The aquatic activity sessions will take place at Places for People local community swimming pools in Ongar, Waltham Abbey and Loughton.

October Half Term: A full programme of activities was on offer over October Half Term including a new Master Class option for football, netball and dance. These were run in conjunction with local clubs including Ongar Netball Club and Buckhurst Hill Football Club to encourage longer term participation in physical activity. Once again, the Council's Disability Inclusion Project ran a full programme including; the ever-popular Spooky Slime Workshop, Aqua Splash, Horse Riding, Multi Sports, Trampolining and a visit to the Royal Gunpowder Mills.

Compass Club: After working successfully with the Multi Academy Trust's Family Liaison Officer, funding has been secured for another round of Compass Club sessions for 11 schools across the district. Compass Club is a primary school age intervention project which focuses on emotional wellbeing and helps improve social skills and confidence. During the Autumn term the schools benefiting from the 10-week Compass Club programme will be Leverton Primary, Waltham Abbey, Theydon Bois Primary, Alderton Junior School in Loughton and Ivy Chimney Primary, Epping.

Gym Trail: Following a successful funding bid by the Community, Culture and Wellbeing Team to the Public Health Community Grant, three schools in the district will benefit from a Gym Trail Project, which is an early intervention programme for Key Stage 1 pupils. It involves a circuit of motor co-ordination activities which are carried out on a regular basis providing a structured approach to supporting pupils with movement and co-ordination difficulties. Ten-week programmes will be delivered in Hill House Primary in Waltham Abbey, Chigwell Row Primary in Chigwell and Herewood Primary in Loughton.

Inter-Tri Epping Forest: £2000 has been secured from Active Essex Satellite Club Fund for a triathlon based project with Davenant Foundation School. Staff have worked with the school, local club, Tri-Sport Epping, and British Triathlon to develop and support delivery of the project

which aims to engage more inactive children in sport outside of school hours. The project launched on Tuesday 10th September with a Young Activator training session, certified by British Triathlon and was delivered to 29 students. Sessions started the following week covering running, swimming and cycling.

Work Place Health Champions: 10 Workplace Champions from within the Council have been recruited to help improve the health of colleagues through suggesting and rolling out innovative activities to encourage a positive wellbeing culture. The champions have attended an Essex Lifestyle Service training course which included sessions on behaviour change and "Make Every Contact Count" and are scheduled to undertake Mental Health First Aid Training later this month.

Epping Forest Youth Council: The Youth Council's "We R Safe" films are being shown in a 45-minute assembly to all Year 7, 8 and 9 pupils in the district, with a total of 1300 pupils viewing the films, who will have the opportunity to respond to the key messages - Realise, Run, Report, Resist, Resilience.

Members of the Epping Neighbourhood Action Panel have recently praised the Youth Council for its work to address community safety. Youth Councillors gave a short presentation at the October meeting about the We R Safe project.

Youth Councillors recently took part in debating and democracy training facilitated by Sky Yarlett, Senior Education and Engagement Officer (East of England) at the Houses of Parliament and recently contributed to the Essex Council for Voluntary Youth Services (ECVYS) Micro Youth Voice project about Gangs in West Essex.

The High Sheriff of Essex will attend the November Youth Council meeting on Tuesday 12 November, as an observer.

Community Engagement: The Community Crochet Group at the Monkham's Pub in Buckhurst Hill have made 450 poppies to raise money for the poppy appeal.

A new weekly community writers group has been launched at Mulberry House in Ongar offering inspiring ideas and tips on writing techniques.

The Museum garden has been producing a wealth of organic food over the past few months. Local people in the community visit regularly to speak to the volunteers and to take home some of the freshly grown produce.

In response local need, staff have facilitated the introduction of a new after school cookery club for local primary aged children in North Weald at St Andrews Primary School, and also a new Youth Club at The Loughton Centre, through partnership working with third sector organisation, The Red Balloon Foundation.

Loneliness and Social Isolation: Links have been made with Essex's United in Kind social movement to support its ongoing work focused around loneliness and social isolation in the district. Alongside staff from VAEF, officers ran a stall at St Johns Church in Epping on market day recently to promote the countywide launch of the brand. Further work to promote United in Kind will be undertaken over the winter months.

Economic Development

Economic Strategy: The revised version of the Economic Strategy consultation paper was published on the council's website on 9th October. It can be found on this link below. <https://www.eppingforestdc.gov.uk/consultation-of-new-economic-plan/>. The strategy has been circulated to about 150 key local stakeholders for views and it is planned to encourage feedback on the strategy at various public events the economic development team is hosting from now until the end of the year. The new deadline for responses to the consultation will be the 16th of December 2019.

A special stakeholder conference has been organized for 13th November at Theydon Village Hall, to give local partners a further opportunity to influence the strategy. This will be a workshop-based conference focused on the themes contained in the document. The event will be running from 09:30am to 13:00pm and as previously advised, Elected Members are very welcome to attend. Tickets can be obtained via this link: <https://www.eventbrite.co.uk/e/epping-forest-district-economic-strategy-stakeholder-conference-tickets-76033936551>

Following the event, a report will be produced outlining the key proposals arising from the event and associated funding and resource implications.

Tourism: The Cross-Border Group met on 15th October and agreed in principle to put in a bid for the joint area to become one of the Government's new Tourism Zones. Bid details are due to be made available in December and the zones are expected to begin operating in 2020. Much of the expectation and requirement of successful bidders mirrors the aims and work already agreed by the cross-border group.

The date for this year's Tourism Conference is December 5th, and once again this is being hosted and sponsored by the Marriott Hotel Waltham Abbey. As with the 2018 conference, this will be very much a collaborative event with participation from cross-border colleagues. In line with the imminent launch of the bidding process, the Tourism Zone development will form a major part of the conference theme and workshops. To this end, ministerial departments have been contacted with a request to provide a speaker to update the conference on the Tourism Sector Deal and launch of Tourism Zones. Tickets can be obtained via this link: <https://www.eventbrite.co.uk/e/epping-forest-district-conference-2019-tickets-77493165143>

Green Arc: Officers are working on building support for the Green Arc with key organisations who attended an initial Green Arc steering group meeting in July. One to one meetings have been held with the Forestry Commission, Brentwood Borough Council and Thames Chase Trust to understand what key issues this region faces in terms of utilising green assets. Meetings are also being arranged with Essex County Council, the Lea Valley Regional Park Authority, the Greater London Authority and the Woodland Trust to do likewise.

The aim of the Green Arc project is to focus on where London meets the countryside, looking at joint initiatives to increase and protect tree canopy/coverage, explore new ways of developing corridors to allow residents and visitors to enjoy the green and unique areas in this quadrant as well as innovating in community involvement in planting programmes.

Skills: Representatives of the planning and economic development teams met with representatives of the Department for Work and Pensions (DWP) and New City College to look at the options available to build local training and apprentice provision into the planning requirements for the proposed Next Distribution Centre at Waltham Abbey. Planning officers are contacting the developers to get a clearer idea of the job roles and numbers expected. The first meeting to establish an Advisory Board for the Epping Forest campus of New City College has taken place with a District Council member and officer in attendance.

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Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Contracts and Technical Services

Portfolio Holder: Councillor Nigel Avey

Recommending:

That the report of the Contracts and Technical Services Portfolio Holder be noted.

Waste Management

Waste and recycling services are performing well. I would like to thank our residents for helping us in achieving our recycling targets.

Members of the Task and Finish Panel visited Biffa's Municipal Recycling Facility (MRF) at Edmonton on the 25th of September to see the reprocessing and sorting operation of our recycling collected in clear sacks from households. Councillors remarked that it was informative and gave a more detailed insight to what happens to our recycling.

The Task and Finish Panel is reviewing preliminary reports for consideration of potential changes to the waste and recycling operations before more detailed work can be carried out. Comprehensive business cases will be prepared before any decisions to make a change to the current collection arrangements are considered by the Council.

Further work has been done on the replacement of the existing paper and glass banks at recycling sites with new 1100 litre mixed recycling banks collecting the same materials as the clear sack household system which will include glass. We are hoping for a roll out of the new systems to sites in the new year.

Grounds Maintenance Service

Grass cutting operations are ongoing and the mild autumn means it is likely our mowing teams will continue to work well into November. The Grounds Service will then move onto their 'winter works' programme, which includes bed maintenance, hedge trimming and shrub pruning as well as the planting of spring flowering bulbs, hardy shrubs.

The tree team will be planting over 100 new trees of varying types in our streets and open spaces this year. Six of these trees have been purchased from the kind donations of residents via the Council's 'Tree Donation' scheme available through our web-site.

The Grounds Service is relied upon each year to provide the saluting dais and floral displays for the Remembrance Day parades that take place in Epping and Loughton. The grounds team work hard to ensure the planted troughs & tubs provide suitable floral displays and that the wooden staging is correctly installed and maintained in good order.

Countrycare

Since the last report the team has project managed volunteer tasks on five sites and included sowing yellow rattle, erecting notice boards, raking, creating footpaths and reed clearance from ponds.

In total 44 volunteer days have been given to Countrycare and we have taken on one new volunteer in this period. Fewer volunteer tasks have been held from usual due to resource constraints and a land rover accident.

Butterfly and reptile surveys are now finished for the season, but the Wetland Bird Surveys are on-going with monthly surveys at Church Lane, Nazeing Triangle and Thornwood Common Nature Reserves.

A Moth Night was held on Weald Common in September which 35 people attended. Most of the attendees were children who were fascinated by the night life. Of the findings Setaceous Hebrew Character was prolific along with many Large Yellow Underwings. A bat survey was also conducted with the children learning how to use bat detectors.

Fleet

The team have been busy carrying out 1700 MOT's in the last 6 months with income up 10% on budget,

A New fleet management system software package is now been used for purchasing, bookings, invoicing and management of stores supplies, the system is performing very well and is starting to produce cashable savings and assisting in reducing administration tasks which was previously carried out on paper less systems.

A second electric van is now in service and the feedback from staff is very positive.

The team have recently submitted a report for a new fleet management strategy and has also produced a new fleet replacement strategy.

Congratulations go to our vehicle apprentice who has recently passed her year two examination and is now into her 3rd year of a 4-year light vehicle apprenticeship.

Procurement and Contract Development

The team are working on several of the Council's high-profile projects at present, including the Accommodation Project, the Housing Repairs IT System and the Development Company. In addition to this, the team are developing training and documentation to help officers with Procurement and Contract related tasks, such as a toolkit and checklist, and a working party is starting in December to provide education, advice and guidance to managers. The main aim is to ensure the Procurement and Contract stages of projects are understood better and compliance with regulatory requirements is ensured.

Car Parking

The Car Parking Contract Partnership board was held on the 21st October. The contract is meeting or exceeding all performance indicators.

Early discussions have been held to look at the possibility of implementing Automatic Number Plate Recognition systems to monitor and manage the Council's car parks. A research visit is being undertaken to Canterbury later in October to explore how a similar system might work in Epping Forest District.

Following vandalism to a wall in Quaker Lane Car Park Waltham Abbey, Officers took the decision to remove the remainder of the wall to eliminate potential safety concerns. Following input from local members, Officers decided not to replace the wall, but the option remains.

Preliminary work has started on the conversion of the run-down car park at Vere Road Debden. It is envisaged that a contract specification will be put out to market in Spring and the work will get underway soon after.

At the NEPP Joint Committee meeting on 3rd October each partner authority could allocate up to 6 parking restriction schemes. EFDC was able to nominate 13 District Wide Traffic Regulation Order schemes were accepted for implementation in 2020. Officers, Members and NEPP officers are meeting early in November to look at the issues in Ivy Chimneys Epping

where there have been many complaints. Similarly, officers are looking at possible solutions to parking problems in Fluxs Lane Epping.

Car Parking officers are supporting the work being undertaken regarding the St Johns Road development.

Leisure Contract

The Leisure Contract continues to perform well above expectations at both Loughton and Waltham Abbey. The Epping and Ongar Centres are holding their own but the age of both centres makes improving take-up challenging for the contractor. A variety of promotional activities at Epping and Ongar are being undertaken in an attempt to drive up usage.

Cllr Avey and Cllr Brookes attended a switching on event of the new Combined Heat & Power Unit (CHP) at Loughton Leisure Centre in September. The CHP will provide savings of up to 50% on energy usage at the centre as well as using less fuel. Similar savings on CO2 emissions are expected.

As and when required, Officers are supporting the work regarding St Johns Road. Contractually, until a decision is made on the direction of travel, the required contract variations can not be started. Work to complete the Ongar Leisure Centre Options Appraisal is progressing well and the options at Ongar may well be influenced by the outcome of the St Johns Road development approach.

The land transfer between EFDC and Fields in Trust with regard to the land behind the old Waltham Abbey Pool at Roundhills is underway. Members will be aware that an area of land at the rear of the new leisure centre at Waltham Abbey is being transferred to Fields in Trust, who have very generously made a £5000 grant available to undertake some community sport activity once the transfer is completed. An update will be provided in the near future.

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Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Customer Services

Portfolio Holder: Councillor S Kane

Recommending:

That the report of the Customer Portfolio Holder be noted.

1. The findings from the Digital Inclusion project undertaken with Citizens Online were presented to the Stronger Communities Select Committee on 1st October 2019. Officers are now working on delivering the key recommendation arising from the report. These are:

- The establishment of a Digital Network containing other public sector partners and voluntary organisations which will bring resources to together across our community to deliver digital skills support to our residents.
- The recruitment of Digital Buddies across the network to deliver the support using agreed triaging and signposting processes. This has commenced with the Council's own staff before co-ordinating this recruitment with other partners. It is estimated that around 200 Digital Buddies will be needed across the network.
- Embed digital skills and a culture of life-long learning in the strategies of the organisations within the network and ensure that strategic leaders support its work.
- Centralise all information relating to digital skills into a single hub, potentially hosted on the EFDC website.
- Focus the work and resources of the network on identified geographic clusters where there are high risks of digital exclusion. These clusters tend to corollate with types of Benefit recipients such as Universal Credit, Pension Credit or Carers Allowance.

2. Work on Council's new Customer Service Strategy is developing well. A presentation of the principles around the strategy was made to the Stronger Communities Select Committee on 1st October 2019 and a report will be taken to Cabinet on 18th November 2019 providing more detail.

3. The customer element of the Planning service has now been integrated into the Customer Service team. This migration has been a lengthy piece of work to ensure that as many initial contacts can be dealt with by the Customer Service team without the need to transfer calls to the Planning team, enabling them to focus on the technical elements of their work. I would like to take this opportunity to again remind Members that the Customer Service team is there to help them ensure that their

enquiries are dealt with in a timely manner so please direct your enquiries through the Customer Services team.

4. The Local Council Tax Support Scheme for 2020/21 is to be considered by Cabinet on 31st October 2019. The scheme for 2020/21 remains unchanged from 2019/20. There are plans, however, to fully review the scheme for 2021/22 with the aim of reducing its complexity for claimants and its administration.

5. I am pleased to say that there are now solutions available to enable Members to access their e-mails on their laptops, desktop PCs and mobile phones. Cabinet members are undertaking final user testing prior to a broader rollout to members who wish to have such access.

Report to the Council

Committee: Cabinet

Date 5 November 2019

Subject: Housing & Property Services

Portfolio Holder: Councillor H Whitbread

Recommending:

That the report of the Housing & Property Portfolio Holder be noted.

Property Maintenance

The refurbishment of Oakwood Hill depot is continuing. Phase 1 is well underway and the new mezzanine structure is being constructed in MOT bay 4. The internal steel frame has been installed and the fire separating walls and floors are being constructed. Externally new security fencing and gates have been installed. The ground floor area of the mezzanine structure will be a new store for the Housing Repairs team with the upper floor being utilised by Fleet Operations.

Specifications for the proposed sprinkler systems at Norway House and Hemnall House are currently being finalised with Essex County Fire and Rescue Service's design consultant. Once complete, quotations will be sought together with listed building consent for the works required at Norway House.

The Housing Repairs team have been working closely with colleagues in the operational assets team to complete some external redecoration works at our small shopping parade in Lower Queens Road, Buckhurst Hill. They are also currently working on fence repairs and redecoration at Alfred Road General Improvement Area also in Buckhurst Hill where recently some resurfacing works have also been completed

At another of the Council's commercial assets, Limes Avenue shops in Chigwell, the external lighting has been upgraded with the opportunity taken to improve the layout and to install extra emergency light fittings for additional safety.

Norway House Homelessness Pods – Visit by Housing Minister

Last month Norway House and more particularly the 'pods' that were installed in the summer to provide shelter for single homeless people were the subject of a snap visit by Housing Minister Luke Hall. It was testament to teamwork that the minister was so impressed by the facilities and services he saw.

Following his visit, the minister Tweeted: "Very grateful to Epping Forest for taking time to discuss temporary accommodation and what more we can do to prevent homelessness. Inspirational to meet such a passionate team." Norway House offers forty-eight rooms including single and double rooms in the main building and five chalets in the grounds for families, couples and individuals who find themselves homeless. Resident's length of stay at the Hostel depends on their individual circumstances and can be as short as 6 months but can be up to two years.

Council House-building

Design and Build tenders have been received for the sites making up the next phase of the house-building programme. The sites are at Chequers Road, Bushfields and Chester Road in Loughton, Bushfields, Loughton, along with Queensway and Millfields in Ongar. These tenders, once evaluated, are due to be considered by the Council House-building Cabinet Committee in December. Work will then start on site in around March 2020.

Report to the Council

Committee: Cabinet

Date 5 November 2019

Subject: Planning Portfolio

Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Planning Portfolio Holder be noted.

1. Local Plan progress update

Following the hearing sessions for the Independent Examination of the Local Plan, the Inspector released her Advice on 2 August 2019. Within her advice the Inspector has set out a number of changes to the Plan which are required to remedy issues of soundness in the form of Main Modifications. The Council has responded to the Inspector with the programme of work to establish the precise forms of MMs that are required. The Council is currently waiting the response from the Inspector to the proposed programme.

The main area of work which has required careful consideration is the most efficient and expedient way to progress the actions in relation to the Habitats Regulations Assessment (HRA) taking on board the issues raised with respect to the need for modelling to take account of tall forest vegetation; to look again at the causal link between the mitigation measures proposed and the modelling effects shown in the HRA 2019; and to provide evidence to demonstrate the effects on the Forest would not be significant.

In parallel the Council has issued an updated position statement <http://www.efdclocalplan.org/wp-content/uploads/2019/10/ED101-EFDC-Epping-Forest-Special-Area-of-Conservation-Position-Statement-EFDC-October-2019.pdf> to provide information about the Epping Forest Special Area of Conservation and the present position with respect to the granting of planning permission for new development that may adversely affect Epping Forest. The Council is continuing to work actively to resolve the current situation that has restricted housing and economic development coming forward in the District since June 2018. Working with Natural England, the Council is striving to identify potential opportunities to address the backlog of underdetermined applications and is seeking legal advice as to the extent to which permissions can be issued. A further report will be brought to Cabinet at the December meeting.

2. Neighbourhood Planning

Following the referendum on the 26 September 2019 when the electorate of the Moreton, Bobbingworth and the Lavers area voted in favour of the Neighbourhood Plan, the Plan is reported to this meeting of Full Council to be 'made'. It will then form part of the statutory development plan for the District and decisions on planning applications will need to apply the policies in the Neighbourhood Plan.

3. Harlow and Gilston Garden Town

A bid for further funding for the 2019/20 Financial Year has been submitted to Homes England but no decisions have yet been made. A total of £6m is available across the 23 Garden Towns and villages which is a reduction from the total amount available for 2018/19.

Raising awareness of the Garden Town

Events to raise the awareness of the Garden Town project are planned - with initial events being held in January 2020. These include a leaflet drop at Harlow Town Station and an exhibition at the Harvey Centre. The exhibition boards will then be displayed at the District Council Offices in Epping. Further events are planned later in 2020 including a presence at the Monday market in Epping.

The HGGT team are also launching the website harlowandgilstongardentown.co.uk, coupled with an official Twitter and Facebook profile.

Transport Strategy Consultation

In accordance with the Cabinet decision on 7 March 2019, consultation on the transport strategy for the Garden Town is planned for January 2020. Details will be made available on the website.

Stewardship

Work is progressing on developing the most appropriate arrangements to ensure the long term management and maintenance of community assets that will be delivered as a result of development within the Garden Town including green space, the public realm and other community assets. A stakeholder event for members and representatives from town/parish councils has been arranged in order to consider the range of assets that could be included in the future arrangements and the potential models for taking this forward.

4. Delivering Infrastructure in the District

In order to ensure that the infrastructure to support the proposed growth in the District the Council developed a Developer Contributions Strategy, which was agreed by Cabinet on 11 July 2019. The guidance provides details on how, what and when planning obligations will be used and the approach to viability for proposed sites in the District to determine the appropriate level of developer contributions to be sought.

It is important for the Area Planning Committees and District Development Management Committee to ensure that when granting planning permission, reference is made to the identified infrastructure requirements set out in the Council's Infrastructure Delivery Plan and supporting documentation which have been developed to support the Local Plan in order to ensure that the appropriate provision is made.

Further work has also been commissioned to provide an up to date District wide viability assessment to determine the maximum level of developer contributions to be sought and to provide a robust starting point for decision making for development management purposes for development in the District in accordance with paragraph 57 of the National Planning Policy Framework 2019.

5. Development Management Planning Fee Income

The first six months of 2019/20 show that Planning Application Income is £460,510. This compares with a budget of £639,650 and shows a decrease of £179,140 against budget.

Although Planning income is below budget it compares favourably with the three-year average for Planning Income from 2016 – 2019 which is £1,011,499. Current actual income for six months plus budget for the remaining six months is £1,020,860.

Delay in the adoption of the new Local Plan and the impact of development on the Epping Forest Special Area of Conservation appear to be holding back the submission of the large fee generating applications. However, it should be noted that nationally, the number of planning applications for the first half of 2019 at 225,000 is the lowest January to June figure since before the 2008 financial crisis.

However, Pre-Application Income continues to perform well at 6 months recording £106,382 and already surpassing its annual budget by £1,522. Planning Performance Agreements, another source of planning income, are increasing being drawn up by officers with developers to agree a timetable for large-scale and strategic Masterplan sites and payments are expected before the end of the financial year.

6. Enforcement of Construction Work Damage to Highway, Verges etc

Officers are currently considering whether there is a mechanism that allows us to enforce owners/developers to repair any damage to footways, verges etc. associated with their development. At least one other Council put this on their planning decision notice as a condition, but many others add it as an informative because of the difficulty in enforcing such conditions. Officers though will look at all options and I will update further in due course.

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Report to the Council

Committee: Cabinet

Date: 5 November 2019

Subject: Strategic Projects

Portfolio Holder: Councillor A Lion

Recommending:

That the report of the Strategic Projects Portfolio Holder be noted

Digital Innovation Zone

The DIZ continues to have enthusiastic support and funding from the 5 District Councils in Essex and Hertfordshire and Essex County Council. Both Hertfordshire and South East Local Enterprise partnerships are showing increasing interest in supporting the initiatives of the DIZ. There is a growing number of commercial and major businesses supporting the Zone emphasising the importance of this work and raising the profile of Epping Forest District Council in leading digital innovation. The DIZ team will be presenting to a forthcoming LGA Digital Showcase conference.

The appointment of a joint-funded Programme Manager for the DIZ on an 18-month secondment is being supported by the Council's recent appointment of a Higher-Level Digital Apprentice.

Work continues on the £2.1m DCMS funded DIZ Local Full Fibre Network project through their Assurance process. The focus remains on demonstrating that the project will deliver Value for Money and satisfy State Aid requirements. This assurance is targeted for completion by the year-end for operational planning and delivery to commence early in 2020. The project will deliver full fibre broadband networks throughout the Essex + Herts Digital Innovation Zone based around the geographical locations of a number of public sector assets.

The DIZ website diz.org.uk will shortly undergo a series of upgrades to ensure that it acts as a vibrant and interesting single point of contact for all things of digital interest. These upgrades will enable the promotion of upcoming DIZ events including video content as well as a repository for all previous events the DIZ has delivered. It will be supported by the concurrent development of a social media presence for the DIZ.

Work continues to develop a Common Asset Register that will map the public estate across the DIZ as a baseline to attract future investment in digital infrastructure and to support digital initiatives and testbeds that can hang off the public estate. As part of the development of the register the DIZ intends to sign-up to the MHCLG Digital Declaration, plus constituent local authority partners and other partners as appropriate. This is intended to collectively unlock access to additional central government funding streams and joint working.

The DIZ made a decision not to pursue a bid to the DCMS Rural Connected Communities 5G programme. Given the complexity of the bid, the requirement for 1:1

match funding and the need to resource the management and delivery of any successful programme it was considered that the programme was outside the current scope of the DIZ. Additionally, the cost of securing consultancy support for the bid was likely to outweigh the potential funding available.

London Stanstead Cambridge Corridor Consortium

District members and officers continue to support the work of the London Stanstead Cambridge Consortium / UK Innovation Corridor. The district is leading on a major LSCC conference on digital innovation and applications in the zone from London to Cambridge, with a focus on the five district council areas. The conference will be held in London in February, sponsors and a venue are now being sought. Officers and members have had input into a number of key LSCC documents including the priority infrastructure report and the development of a skills concordat for the region. The districts role particularly in leading on digital delivery and other LSCC initiatives has been recognised with Cllr Lion being appointed as one of the LSCC's deputy chairs.

Strategic Parking Review

Parking charges for council owned and managed off street car parks across Epping Forest District Council were reviewed in 2018/19. In line with the commitment made last year and in conjunction with Cllr Avey a strategic review is now being undertaken across the District. This will assess those charges and the impact on change of use for long and short stay parking. Specific local charges will be considered along with the local plan policy on parking. The baseline income has been determined and the budgetary impact will be evaluated before any opportunities to flex the charges is considered. A longer-term view is to be evaluated to determine a more effective management arrangement though the use of state of the art technology and the potential use of automatic number plate recognition (ANPR)

Street Lighting Review

Views of town and parish councils were sort when officers addressed the Local Councils Liaison meeting in September. Chigwell Parish Council have agreed in principle, subject to contract, to have their lights on throughout the night. Contracts have been drafted in conjunction with Essex County Council and sent to the parish council. The contract will be for 4 years with a small annual increase to reflect costs. The general switch on has been planned for the new financial year but the plan is to bring it forward to the end of this year.

Report to the Council

Committee: Constitution Working Group (Councillor S. Jones)

Date: 5 November 2019

1. COUNCIL MEETINGS - PUBLIC SPEAKING ON PLANNING APPLICATIONS & SITE VISITS

Recommending:

- (1) That existing arrangements for public speaking in respect of planning applications that currently only apply to meetings of the District Development Management Committee and the Area Plans Sub-Committees, be extended to all planning applications considered by the full Council;**
- (2) That any proposal for the holding of a formal site visit for all members with regard to any planning application to be considered by the full Council, be approved by the Chairman of the Council on the recommendation of the Service Director (Planning Services); and**
- (3) That pursuant to Recommendations (1) and (2) above, the Monitoring Officer be authorised to make necessary revisions to the Council's Constitution to give effect to the adoption of arrangements for public speaking and the holding of member site visits, with regard to all planning applications considered by the full Council.**

1.1 At its meeting on 30 July 2019, the Council agreed that the following matters be added to the ongoing work programme of the Working Group:

- (a) the review of existing arrangements within the Constitution whereby planning applications referred to the Council for determination are not generally subject to arrangements for public speaking.
- (b) The consideration of possible arrangements for formal site visits to be held with regard to planning applications referred to the Council for determination.

Public Speaking

- 1.2 The Working Group has reviewed existing arrangements within the Constitution whereby planning applications referred to the Council for determination are not generally subject to arrangements for public speaking.
- 1.3 Members will be aware that the Council introduced arrangements for 'public' speaking at meetings of the District Development Management Committee and Area Plans Sub-Committees over twenty years ago and has a well-established procedure for the registration of applicants, objectors and local town and parish councils (or representatives) to speak at meetings.

- 1.4 These existing arrangements for public speaking currently only extend to meetings of the District Development Management Committee and the Area Plans Sub-Committees and do not apply to planning applications considered by the Council. The current arrangements do not preclude an applicant, objector or parish/town council representative that has previously made representations on a planning application at a meeting of an Area Plans Sub-Committee from speaking again, if any matter is reconsidered by the District Development Management Committee, but do prevent a speaker making additional representations in the event that an application is further referred to the Council for determination.
- 1.5 The only exception to these arrangements is in respect of planning applications submitted directly to a meeting of the Council without prior consideration of the development proposal by the District Development Management Committee and/or an Area Plans Sub-Committee. In these circumstances, Council Procedure Rule P2 (Planning Applications) provides that applications are subject to the existing arrangements for public participation by applicants, objectors and parish/town councils in the same way as those applied to the District Development Management Committee and the Area Plans Sub-Committees.
- 1.6 However, there appears to be no other provision within the Constitution (either in Article 10 (District Development Management Committee and Area Plans Sub-Committees) or the Scheme of Delegation), that indicates the type of application that would be submitted directly to the Council for determination. The Planning Services Portfolio Holder and the Service Director (Planning Services) have both advised that they are unaware of any constitutional requirement for any particular type of planning application to be submitted directly to the Council for determination and it is assumed that Rule P2 of the constitution was not updated when the Constitution was thoroughly reviewed in 2016/17. We recommend that this anomaly should be rectified as part of our review of public speaking arrangements.
- 1.7 In order to ensure consistency of approach with regard to the public speaking arrangements applied to the District Development Management Committee and Area Plans Sub-Committees, we also consider that the existing arrangements for public speaking that currently only extend to meetings of these committees should equally apply to all planning applications considered by the Council, subject to the application of the existing procedures for the registration of applicants, objectors and local town and parish councils (or representatives) to speak at meetings of the District Development Management Committee and Area Plans Sub-Committees.

Site Visits

- 1.8 Members will be aware that the Council also has longstanding arrangements whereby formal member site visits may be undertaken in respect of any site subject of a current planning application, where this offers a substantial benefit to the decision-making process. Site visits are undertaken at an agreed time and are subject to the presence of a representative of the Service Director (Planning Services). Site visits are managed by the Chairman (or Vice-Chairman) of the District Development Management Committee or the relevant Area Plans Sub-Committee, or the Planning Officer in attendance. No discussion with interested parties as to the merit of the development proposal is

permitted at any time during a site visit.

- 1.9 Planning applications are occasionally referred to the Council for determination by way of minority reference from the District Development Management Committee. At present, no arrangements are in place for site visits to be held by members of the Council in these circumstances.
- 1.10 Article 10 of the Constitution provides that, in addition to being agreed at a meeting of the Development Management Committee or an Area Plans Sub-Committee in respect of any planning application listed in an agenda for a meeting, the holding of formal site visits may also be approved by the Chairman of the Committee on the recommendation of the Service Director (Planning Services). To ensure consistency of approach, we recommend that this arrangement should also apply to planning applications to be considered by the Council and that the holding of formal site visits for all members (where appropriate), be approved by the Chairman of the Council on the recommendation of the Service Director (Planning Services).
- 1.11 The agreement of the recommendations set out above will require the revision of Article 10 (District Development Management Committee and Area Plans Sub-Committees)) and Procedure Rule P2 of the Constitution.
- 1.12 We recommend as set out at the commencement of this report.

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Report to the Council

Report of: Monitoring Officer

Date: 5 November 2019

1. CONSTITUTION – SCHEME OF DELEGATION (DELEGATION OF EXECUTIVE FUNCTIONS)

Recommending:

- (1) That the proposed revisions to the Council's Scheme of Delegation (Delegation of Executive Functions) as set out in this report, be agreed; and**
- (2) That pursuant to recommendation (1) above, the Monitoring Officer be authorised to make changes to the Scheme of Delegation contained within the Council's Constitution, as required to give effect to the changes to the Scheme of Delegation.**

1. As a result of the ongoing implementation of the People Strategy, it is necessary to make further revision to the Council's Scheme of Delegation (Delegation of Executive Functions) to reflect appointments to managerial and specialist positions.
2. To enable the efficient operation of the Council's housing management function, it is necessary to add delegation to the Service Director (Housing and Property Services) or a Level 2 (Service Manager) or Level 1 (Team Manager) position authorised by the Service Director, to the existing delegated authority for the following function:

EXP5 - Possession Orders - Rent Arrears/Gas Safety Inspections and Other Related Actions

3. In addition, it is intended that the Service Director (Housing and Property Services) will, in future, issue possession proceedings directly rather than instruct the Service Manager (Legal Services), as is the current practice. The Service Manager (Legal Services) will henceforth only be involved in possession proceedings if the matter becomes defended or if there is a need for the Council to be represented at Court. This change requires an additional amendment to the EXP5 delegation, to remove the current requirement for the Service Director (Housing and Property Services) to issue possession proceedings in conjunction with the Service Manager (Legal Services).
4. These proposed changes to the Scheme of Delegation do not fall within the criteria for revisions that may be made by the Monitoring Officer and it was not possible for these matters to be considered by the Constitution Working Group at its recent meeting. The changes to the Scheme of Delegation must therefore be approved by the Council.
5. A revised version of the Scheme of Delegation (Delegation of Executive Functions) incorporating the proposals set out on this report, is attached as Appendix 1 to this report.

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Part 3
Scheme of Delegation
Appendix 5
Scheme of Delegation of Executive Functions

1. GENERAL PRINCIPLES

- (a) This scheme delegates the powers and duties of the Executive to Cabinet Members and officers as a partnership.
- (b) This scheme delegates powers and duties within portfolios and includes powers and duties under all legislation present and future within those descriptions and all powers and duties incidental to that legislation as well as authorising the affixing of the Common Seal.
- (c) This scheme operates under Sections 9D to 9DA of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and all other powers enabling.
- (d) Officers and Cabinet Members shall keep members (especially ward members) properly informed of activity and its implications arising within the scope of these delegations.

2. GENERAL LIMITATIONS

- (a) Before taking a decision, a Cabinet Member shall receive advice from the appropriate officer.
- (b) Any exercise of delegated powers shall be subject to a policy framework approved by the Council or the policies approved by the Cabinet from time to time including the Employment Policies (and Disciplinary Procedures), Equal Opportunities, Service Delivery Policies, and shall be guided by the relevant Codes of Conduct or Council protocols.
- (c) Any exercise of delegated powers shall be subject to:
 - (i) any statutory restrictions;
 - (ii) standing orders;
 - (iii) financial regulations; and
 - (iv) procurement rules.

(d) In exercising delegated powers, Cabinet members and officers shall not go beyond the provision in the revenue or capital budgets for their service except to the extent permitted by financial regulations and procurement policy.

3. GENERAL PROVISIONS

- (a) This scheme includes the power for officers further to delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations shall be recorded and kept by the relevant Director.
- (b) All action taken under the terms of these delegations shall be properly documented.
- (c) It shall always be open to an officer either to consult with the appropriate Cabinet member on the exercise of delegated powers, or not to exercise delegated powers but to refer the matter to the Cabinet.
- (d) It shall be open to a Cabinet member to determine that the exercise of their delegated powers is not appropriate in cases where a Chief Officer or the Monitoring Officer recommends reference to the Cabinet, where consultation with other members indicates that the matter should be referred to the Cabinet or where the Leader of the Council so directs.

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(d) In exercising delegated powers, officers shall consult with other appropriate officers and shall have regard to any advice given.

(e) In this scheme "officer" means the holder of any post named in this scheme as having delegated powers and duties.

4. SPECIFIC DELEGATIONS

4.1 Leader of Council

Exercise of the powers and duties of the Leader of the Council in accordance with Section 9E of the Local Government Act 2000 including:

- (a) appointment of other Cabinet members up to a maximum of 9;
- (b) allocation of responsibility for executive functions to Cabinet Members and Service Directors;
- (c) establishment and terms of reference of Cabinet Committees;
- (d) approval of representatives on outside organisations directly involved in the carrying out of executive functions;

- (e) appointment of a Deputy Leader of the Council.

4.2 Cabinet Members

Decisions on executive functions falling within the allocated Cabinet service portfolio, and which are not delegated to officers.

4.3 Officers

May take any decision which:

- (a) implements a policy or decision previously approved or taken by the Council, the Cabinet or a Cabinet member;
- (b) facilitates or is conducive or incidental to the implementation of a policy or decision previously taken by the Council, the Cabinet or a Cabinet member;
- (c) relates to the management of the human, material and financial resources made available for carrying out the functions for which they are responsible; and
- (d) matters delegated by the Council, the Cabinet, a Committee or Sub-Committee from time to time under this scheme.
- (e) matters that are legally permissible and within that officer's area of control (see table and key below):

Key:

Officer Levels: Level 4 – Chief Executive, Level 3 – Strategic Directors and Service Directors, Level 2 – Service Managers

The following table gives an indication of the scope of control of the current management structure, delegations made under this scheme of delegation can be made by the officers listed insofar as those further delegations are:

Service Director Officer Role:	Current services (December 2018)
Business Support Services	People Team, Business Support, Building Services, Reprographics, ICT, Accountancy, Treasury Management, Insurance, Accounts payable, Land Charges, Health and Safety, Emergency Planning and business continuity, Legal Services

Service Director Officer Role:	Current services (December 2018)
Contract and Technical Services	Waste and Recycling, Car Parking, Leisure Management, Fleet Operations, Land Drainage, Contaminated Land, Grounds Maintenance, Arboriculture, Countrycare, Highways liaison, Procurement
Commercial and Regulatory Services	Estates and valuation, North Weald Airfield, Licensing, Building Control, Environmental Health and Environmental Co-ordination, Private Sector Housing,
Community and Partnership Services	Community Safety, Environment and Neighbourhood Services, Safeguarding, Community Health and Wellbeing and Museum, Heritage and Culture, Grant Aid, Youth Council, Local Strategic Partnership, Economic Development, Tourism, CARE Agency and Grants
Customer Services	Customer Services, Compliments and Complaints, Corporate Communications, Website, Public consultation, Revenues, Benefits, Debt recovery, cashiers, Democratic Services, Civic and Members Services, Elections, Data Protection/Freedom of Information,
Currently allocated to a Strategic Director	Transformation Programme, Project Management, Performance Monitoring, Corporate Plan/Equalities.
Housing and Property Services	Housing Management, Housing Options, Older peoples Housing, Home ownership, Housing Repairs, Housing Assets, Housing Development, Facilities Management, Depot Management.
Planning Services	Development Management, Planning Policy, Garden Town Liaison, Local Plan Implementation, Planning Enforcement, Tree Preservation, Landscape, Built Heritage, Conservation.

5. SPECIAL CIRCUMSTANCES

- 5.1 Where the proposed decision affects more than one service portfolio, there shall be an obligation for the other Cabinet members to be consulted before a decision is made.
- 5.2 Where a decision is of corporate significance or where there is a conflict of view, such matter shall stand referred to the Cabinet for consideration.
- 5.3 Cabinet members shall, in the exercise of delegated powers, consult with the Chairman of the appropriate Overview and Scrutiny Committee and the ward Councillor(s) where appropriate.
- 5.4 Cabinet Members shall have regard to the requirements of the Council's petitions procedure when making decisions on matters raised in such representations.

EXECUTIVE FUNCTIONS – DELEGATION BY THE LEADER OF COUNCIL

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA1	Finance Sub-Committee (Minute 398 - 31.1.80)	ANY LEVEL 3 OR 4 OFFICER WITHIN THEIR MANAGEMENT CONTROL	AGENDA AND MINUTES - CHARGES TO SUBSCRIBERS To approve charges.
EXA2	Housing Committee (Minute 74 – 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES	AGRICULTURAL DWELLINGS To accept applications for rehousing and offer suitable alternative accommodation where the Agricultural Dwelling House Advisory Committee advises that the property is required for occupation by an agricultural employee in the interest of efficient agriculture.
EXA3	Environmental Health and Control Committee (Minute 10 – 10.5.78)	HEALTH PROTECTION AGENCY (HPA) (Any Consultant Staff Member)	AIRCRAFT Proper Officer for the purposes of the Public Health (Aircraft) Regulations 1970.
EXA4	By Leader Decision dated: 26 April 2016	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS OR A LEVEL 2 MANAGER NOMINATED BY THEM.	ASB Crime & Policing Act 2014 (see also Annex B for other delegations) Part 2 Criminal Behaviour Orders (CBO) Section 29 To act in cooperation with the Chief Officer of Police when carrying out a review of a CBO on a person under 18 using existing ASB process (10.5) as attached. Part 4, Chapter 3, Section 77 (2) (b) – Closure Notices To issue closure notices of 24 and 48 hours pursuant to the above section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXA5	Cabinet (Minute 14(4) – 6.10.14)	SERVICE DIRECTOR FOR HOUSING AND PROPERTY OR A LEVEL 2 MANAGER NOMINATED BY THEM	APPROPRIATIONS OF LAND (a) To seek the consent of the Secretary of State for Communities and Local Government, pursuant to Section 19 of the Housing Act 1985, to appropriate land held for housing purposes and identified for Council housebuilding for planning purposes; and (b) Subject to the receipt of such consent, to advertise the Council's intention to make the appropriation in accordance with the provisions of Section 122(A) of the 1972 Act.
EXA6	Leader Decision – 20 December 2019	MONITORING OFFICER CHIEF EXECUTIVE	ASSETS OF COMMUNITY VALUE – LOCALISM ACT 2011 SECTIONS 87-92 To determine nominations made by bodies set out within section 89 of the Localism Act 2011 on Assets of Community Value in accordance with the Council's scheme To determine Appeals made by applicants on determinations made above
EXB1	Development Committee (Minute 19 – 30.5.2000)	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 – SECTION 95 AUTHORISATION To authorise designated postholders to exercise powers under Section 95 of the Building Act 1984 to enter premises in connection with the enforcement of the Building Regulations.
EXB2	Development Committee (Minute 23(1) – 6.2.74) Council Minute (Minute 24(1) - 9.7.91)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING REGULATIONS To determine applications under the Building Regulations and associated legislation, including the Building Act 1984,

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB3	Development Committee (Minute 35(1) – 15.7.99)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR BUILDING CONTROL SURVEYORS NOMINATED BY THEM	BUILDING ACT 1984 To act as Proper Officer for the purposes of Section 78 of the Building Act 1984.
	Development Committee (Minute 35(2) - 15.7.99)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING ACT 1984 To carry out the following functions under the Building Act 1984: (a) Section 34 - serve notices requiring work contravening building regulations to be removed or altered to achieve compliance; (b) Section 77 - approve applications to a Magistrates' Court for an order requiring dangerous buildings or structures to be made safe; (c) Section 79 - serve notices where it appears that a building is by reason of ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood; and (d) Section 81 - serve notices specifying certain matters and conditions in relation to the demolition of buildings.
EXB4	Personnel Sub-Committee (Minute 138 – 20.3.90) and Development Committee	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUILDING CONTROL – VETTING OF APPLICATIONS To enter into working arrangements with other local authorities within East Anglia for the checking of one (Minute 66 - 16.1.90) another's building regulation activities on a consultancy basis, this arrangement to be activated where staffing levels fall below establishment or volume of applications submitted exceeds staffing capacity.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXB5		SERVICE DIRECTOR HOUSING AND PROPERTY SERVICE OR A LEVEL 2 MANAGER NOMINATED BY THEM	BUY-BACK OF FORMER COUNCIL HOUSING To decide, in consultation with the relevant Portfolio Holder, whether or not the Council would wish to exercise its pre-exemption rights to purchase former Council properties previously sold under the Right to Buy (RTB), in accordance with the Housing Act (Right of First Refusal) (England) Regulations 2005, subject to a sufficient amount of unallocated "One for One Replacement" RTB Receipts or Section 106 financial contributions of affordable housing being available.
EXC1	Transportation Committee (Minute 115 – 26.1.93)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARK TARIFFS To determine individual tariffs in off-street Pay and Display Car Parks within agreed policy.
EXC2	Personnel Sub-Committee (Minute 79 – 17.11.81)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (COUNCIL) To determine applications to use Council office car parks. (See also under "Offices – Use of")
EXC3	Policy & Co-ordinating Committee (Minute 44(3) - 29.11.83)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	CAR PARKS (PUBLIC) To approve the use of Council car parks by charitable organisations or for other charitable purposes.
EXC4	Policy and Co-ordinating Committee (Minute 66(a) - 4.12.90)	CHIEF EXECUTIVE; SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	COMMERCIAL TENANCIES - SERVICE OF NOTICES To sign notices and answers to originate applications for new tenancies under Part II of the Landlord and Tenant Act 1954.
EXC5	Executive Committee (Minute 449 - 11.3.02)	ANY LEVEL 4 OR 3 MANAGER	COMPLAINTS AND COMPLIMENTS PROCEDURE

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			To make payments up to £250 in respect of upheld complaints at Stages 1 & 2
EXC6	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK INSIDE THE DISTRICT To submit bids for work inside the District, to utilise spare capacity/manpower only.
EXC7	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK OUTSIDE THE DISTRICT To refer to the Management Board and through them to the Cabinet any proposal involving the authorisation of bids for work outside the district but only in the context of agreed policy for shared services.
EXC8	Policy and Resources Committee (Minute 347 - 14.2.78)	ANY LEVEL 4, 3 or 2 MANAGERS	CONFERENCES - ATTENDANCE BY OFFICERS To approve the attendance of officers at annual conferences, taking into account the subject matter of the conference and the budgetary provision made.
EXD1	Council (Minute 52 – 12.12.2000)	SERVICE DIRECTOR (CUSTOMER SERVICES); SERVICE MANAGER (LEGAL SERVICES) OR NOMINATED DEPUTY); SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	DEBTS To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action being reported to the Cabinet.
EXD2	Cabinet minute 25(3) – 23.7.15	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL MANAGER	DEVELOPMENT AGREEMENTS To enter into Development Agreements with private developers, and agree terms for the purchase, for affordable rented housing required to be provided by developers in

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
		NOMINATED BY THEM	accordance with Section 106 Agreements, where an opportunity is presented that is considered suitable and appropriate subject to the value being no more than the value considered by the Council to require a key decision.
EXE1	Policy & Co-ordinating Committee (Minute 78 - 1.12.81)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMIATED BY THEM	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.
EXE2	Personnel Sub-Committee (Minute 67 - 24.11.87)	ANY LEVEL 4 OR 3 MANAGER	EX GRATIA PAYMENTS To consider and approve the making of appropriate ex gratia payments to staff at all levels for temporarily undertaking significant additional duties and responsibilities subject, in the case of emergencies where payments are not covered by the approved salary budget, to a report being made to the Cabinet.
EXF1	Leisure Services Committee (Minute 5 - 23.5.91)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES (LEISURE CONTRACT) , SERVICE DIRECTOR COMMUNITY AND PARTNESHIPS (CULTURAL AND COMMUNITY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	FEES AND CHARGES – LEISURE To approve the level of fees and charges within the parameters outlined within the Leisure Management Contract. To introduce individual pricing charges for Community Health and Wellbeing and Museum, Heritage and Culture generally in line with the current level of inflation, or in certain circumstances at a rate which reflects the true cost of providing the service.
EXF2	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant Staff Member) (see also under "Disease Control")	FOOD HYGIENE - ENTRY TO PREMISES To act as registered medical practitioner to the Council under the Public Health (Control of Disease) Act 1984 and thereby authorised to enter any premises, vessel or aircraft for the purpose of regulations made under that section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXG1	Portfolio Holder Decision HSG-029 – 2009/10	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	GARAGES To sell isolated garages in accordance with the Council's Policy.
EXH1	Housing Services Committee (Minute 155 - 12.2.80)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HARDSTANDINGS - COUNCIL HOUSES (a) To approve, subject to satisfactory works to boundary walls, hedges and fences and other necessary works and also Essex County Council being satisfied as to the standard of footpath crossings, applications by tenants to construct car hardstandings in front gardens; and (b) To apply the above policy to hardstandings provided by tenants without permission.
EXH2	Council Housebuilding Cabinet Committee (Minute 4 (5) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOMES AND COMMUNITIES AGENCY – SHORT FORM AGREEMENTS That the Service Director (Housing and Property Services) be authorised to enter into Short Form Agreements with the Homes and Communities Agency for all (Council housing) developments, to enable affordable rents to be charged for the properties built under the Housebuilding Programme, and that the "Provider Representative" named in the Agreements be a senior figure at East Thames Group.
EXH3	Council Housebuilding Cabinet Committee (Minute 5 (3) – 10.7.13)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSEBUILDING PROGRAMME – ALLOCATION OF FUNDING TO SCHEMES That, once the Cabinet Committee has authorised the use and provisional level of subsidy required for individual developments and/or development packages, the Service Director (Housing and Property Services) be authorised to allocate funding from the sources listed in Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 to individual developments and/or development packages – utilising the most appropriate source of funding for the development(s), having regard to the time limits within which they must be utilised - up to and in excess of the provisional level approved by the Cabinet Committee, once tenders to undertake the works have been received from contractors, subject to:

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>(a) The amount allocated being no more than 15% of the level provisionally approved by the Cabinet Committee;</p> <p>(b) Sufficient funds being available at the time of allocation; and</p> <p>(c) The Cabinet Committee receiving a report to its next meeting on the amount of subsidy allocated, and its source of funding.</p> <p>Note - Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 lists the following sources of funding:</p> <ul style="list-style-type: none"> • Loans from PWLB • Capital receipts from additional RTB sales covered by the Agreement with CLG • Current and future financial contributions for affordable housing from Section 106 Agreements • Capital receipts from the sale of HRA land or building, where the Cabinet has specifically agreed that they should be used to help fund the Council Housebuilding Programme • Grant from the HCA • Any other external funding sources.
EXH4	Housing Committee (Minute 125-27.1.97)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION – ALLOCATION</p> <p>To allocate accommodation in accordance with the Housing Allocations Scheme.</p>
EXH5	Housing Committee (Minute 49 – 30.10.91)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>HOUSING ACCOMMODATION - DESIGNATION FOR ELDERLY</p> <p>To cancel designations.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXH6	Housing Committee (Minute 41(20) & (21) – 17.9.96)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.
EXH7	Housing Committee (Minute 93(b) - 11.3.87)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.
EXH8	Portfolio Holder Decision (1.3.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING LAND – USE FOR COMMUNITY EVENTS To grant licences for community events to be held on housing land in the future, subject to consultation with Ward Members and local residents (where residential properties are located nearby) and all health and safety insurance requirements being met by the organisation staging the event.
EXH9	Council (Minute 23(7)(2) - 29.6.82) Housing Committee (Minute 116(4) - 26.1.98)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (in consultation with the appropriate Portfolio Holder)	HOUSING LAND - SURPLUS PLOTS To negotiate, agree terms and dispose of surplus plots of garden land (in consultation with the relevant Portfolio Holder and appropriate Ward Members) as identified by the Council.
EXH10	Deleted July 2018		
EXH11	Cabinet (Minute 155 – 6.2.06)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING OPTIONS CONSORTIUM To exercise the Cabinet's functions in respect of the Housing Options Consortium, being a partnership of local authorities of which the Council is a member.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXH12	Housing Committee (Minute 74 - 4.3.92)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	HOUSING REGISTER RULES – WAIVING To waive Housing Register Rules where the Service Director (Housing and Property Services) considers there are good grounds for so doing.
EXH13	Housing Services Director Committee (Minute 6(a)(iii) - 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.
EXI1	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant member of staff)	ILLNESS - PERSONS IN NEED OF CARE AND ATTENTION To act as proper officer to the Council for the purposes of Section 47 of the National Assistance Act 1948 (removal to suitable premises of persons in need of care and attention or those suffering from grave chronic illness).
EXI2	Public Health Committee (Minute 72 - 21.9.83) (Minute 92 - 17.3.92)	HPA (Any Consultant member of staff)	INFECTIOUS AND COMMUNICABLE DISEASES To act as proper officer to the Council for the purposes of the Public Health (Infectious Diseases) Regulations 1968, the Public Health (Control of Diseases) Act 1984 and Section 47 of the National Assistance Act 1948.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXL1	Council (Minute 23 – 15.5.08) Cabinet (Minute 42 – 29.7.13)	SERVICE DIRECTOR CONTRACTS AND TECHNICAL SERVICES AND ANY LEVEL 2 MANAGER NOMINTED BY THEM (AND RELEVANT STAFF DULY AUTHORISED TO ACT ON HIS BEHALF)	<p>LAND DRAINAGE AND FLOOD DEFENCE</p> <p>To act under the statutory provisions in the Epping Forest District Council – Land Drainage Byelaws 2005.</p> <p>To act under the statutory provisions listed below:</p> <p>Land Drainage Act 1991</p> <p>Section 14 General drainage powers to maintain, construct and improve drainage works etc</p> <p>Section 15 Disposal of spoil from works to watercourse</p> <p>Section 23, 24 and 25 Consenting to and enforcement of ordinary watercourses as delegated by Essex County Council as amended by the Flood & Water Management Act 2010</p> <p>Sections 26 and 27 Powers to require works for maintaining flow of watercourses etc</p> <p>Section 64 Powers of entry for internal drainage boards and local authorities</p> <p>Public Health Act 1936</p> <p>Section 260 Power to deal with ponds, ditches etc</p> <p>Section 262 Power to require culverting of watercourses and ditches where building operations in prospect</p> <p>Section 263 Approval of plans to culvert or cover any stream or watercourse</p> <p>Section 264 Issue of notice requiring the repair or cleansing of culverts</p> <p>To approve updates to the list of legislation set out above.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXL2	Leader decision May 2016	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM ESTATES MANAGEMENT SPECIALIST (in amounts shown in column 4) SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES (or officer duly authorised) for Land held under Housing Act Powers Only	LANDLORD AND TENANT - MANAGEMENT OF COUNCIL PROPERTY (a) To serve notices under Part II of the Landlord and Tenant Act 1954 as amended by Part I of the Law of Property Act 1969 in connection with negotiation of new rentals for Council properties. (b) To take immediate corrective management action (except the institution of legal proceedings) for breaches of covenant in leases of shops, industrial estates and industrial land (c) For all property transactions including acquisitions, disposals, new lettings, lease renewals, lease surrenders, rent reviews, sub-lettings / assignments, all licences (including change of use, alterations), deeds of variations, wayleaves and rights of way, and licences to cross council land. Officers delegated to approve the above transactions for the following amounts and by the Officer approval levels shown: Revenue transactions: Level 2 Manager/ Estates Management Specialist – up to £25,000 per year Service Director - £25,001 to £100,000 per year Capital Transactions: level two manager – up to £50,000 per transaction Service Director - £50,001 to £500,000 per transaction (d) To approve licences to assign and licences for change in use in consultation with the relevant Portfolio Holder.
EXN1	Policy and Co-ordinating Committee Minute 44(3) – 29.11.83	SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	NAMING OF STREETS To approve the names of new streets in accordance with the Town and Police Clauses Act 1847, where, following consultation, one name is agreed by all parties.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXN2	Council (Minute 138 – 28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	NORTH WEALD AIRFIELD - NON- COMMERCIAL LETTINGS (a) To negotiate and produce agreements and licences for all regular bookings and single events (of a non-public character) which comply with the standard licence agreement and fees operated by the Council. (b) To negotiate in liaison with the Airfield Manager, any arrangements regarding use of the Airfield (except those which fall under item (1) above), and, where appropriate, to draft and execute appropriate agreements or licences for all Airfield uses including any negotiated under (a) above, (c) That subject to compliance with the Council's policy to sanction the Concessionary Hire of Leisure Facilities by, or on behalf of, registered charities, for Fundraising Events.
EXN3	Public Health Committee (Minute 72 – 21.9.83)	HPA (Any Consultant member of staff) (See also under "Disease Control")	NOTIFIABLE DISEASES To act as proper officer for the purposes of the Public Health (Control of Disease) Act 1984.
EXN4	Cabinet (Minute 142 – 14.3.05)	SERVICE DIRECTORS FOR COMMERCIAL AND REGULATORY AND COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (or authorised Officer)	NUISANCES Authority to make closure orders under Section 40 of the Anti Social Behaviour Act 2003 and to give notices of cancellation of closure orders under Section 41 of that Act

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXO1	Personnel Sub-Committee (Minute 79 – 17.11.81)	ANY LEVEL 4 OR 3 MANAGER	OFFICES - USE OF To determine applications to use Council offices (See also under "Car Parks (Council)").
EXO2	Cabinet Minute 151(10) – 18.4.11	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES	OFF STREET CAR PARKING SCHEMES "To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise."
EXO3	Policy and Resources Committee (Minute 3 – 11.10.73)	SERVICE DIRECTOR BUSINESS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	ORDNANCE SURVEY To act as proper officer for the purposes of Section 191 of the Local Government Act 1972 (Marking out and checking of reputed boundaries).
EXP1	Leader Decision dated April 2016	SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM PRINCIPAL BUILDING CONTROL SURVEYOR	PARTY WALL ACT 1996 SECTION 10 (8) To act as Appointed Officer pursuant to Section 10(8) of the Party Wall Act 1996 which allows the appointment of a third surveyor to resolve party wall disputes.
EXP2	Policy and Co-ordinating Committee (Minute 99 – 21.11.89)	SERVICE MANAGER LEGAL SERVICES	PHYSICAL ASSAULTS ON STAFF In the event of the Crown Prosecution Service not proceeding after physical assault on a Council employee, to give instructions to prosecute where they consider that the Attorney General's guidelines for prosecutions in a private prosecution for assault are satisfied.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXP3	Environment Portfolio Holder Decision ENV-004-2017/18	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES Or suitably qualified officers	Pollution Prevention - Idling Vehicles Fixed Penalty Notices Authority under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to issue fixed penalty notices in respect of idling vehicles.
EXP4	Housing Committee (Minute 74 – 4.3.92)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH A RELEVANT LEVEL 4 OR 3 MANAGER	POSSESSION ORDERS - MORTGAGE ARREARS To obtain and execute in the case of mortgage arrears where an Order for possession is granted by the Courts, a warrant for the possession of a property. To offer for sale on the open market any property subsequently repossessed.
EXP5	Housing Committee (Minute 75 – 14.11.95) Housing Committee	SERVICE DIRECTOR (HOUSING & PROPERTY SERVICES) (OR A LEVEL 2 OR LEVEL 1 MANAGER NOMINATED BY THEM); SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM.	POSSESSION ORDERS - RENT ARREARS/GAS SAFETY INSPECTIONS AND OTHER RELATED ACTIONS (a) To serve notices of seeking possession for any of the grounds contained in Schedule 2 of the Housing Act 1985; (b) Where considered appropriate, to serve notices to quit in cases where the tenant is not a secure tenant as defined in the Housing Act 1985; (c) To institute proceedings in the County Court for the possession of properties following service of a notice seeking possession or a notice to quit; (d) To institute proceedings in the County Court for the recovery of rent, court costs and service charges; and (e) To obtain and execute a warrant for eviction where possession has been awarded by the Court. In respect of secure and non-secure tenancies of Housing Revenue Account properties: (f) to approve and sign Notices and Seeking Possession and Notices to Quit;

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	<p>(Minute 46 – 12.9.2000)</p> <p>Housing Management Sub Committee (Minute 161 – 15.2.77)</p> <p>Portfolio Holder Decision (24.3.2004)</p>		<p>(g) to initiate proceedings in the County Court for possession and the recovery of rent, mesne profits, service charges and court costs, in accordance with relevant legislation; and</p> <p>(h) to seek and execute warrants of execution for possession; and</p> <p>(i) to undertake the actions set out in (a), (b) and (c) above, in respect of non-secure tenancies and licences at the Council's Homeless Persons' Hostel (Norway House) including the eviction of any homeless person who defaults in the payment of accommodation charges for four successive weeks or more.</p> <p>(j) Approve and sign Notices of Seeking Possession on the grounds of a breach of tenancy conditions for not allowing the Council access to undertake required repairs and maintenance;</p> <p>(k) Initiate proceedings in the County Court for possession or to provide access for the purpose of undertaking the statutory annual Gas Safety Inspection in accordance with the relevant legislation; and</p> <p>(l) Seek and execute warrants of execution for possession authorised by the Court.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXP6	Deleted December 2018		
EXP7	Cabinet (Minute 109 – 18.12.06)	SERVICE DIRECTOR COMMUNITY AND PARTNERSHIPS SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>PRIVATE SECTOR HOUSING – ASSISTANCE (including Decent Homes Repayable Assistance, Small Works Repayable Assistance, Thermal Comfort Grants, Conversion Grants, Empty Homes Repayable Assistance and Disabled Facilities Grants)</p> <p>To exercise the powers and duties under relevant legislation. (See also ‘Private Sector Housing – General’)</p>
EXP8	Cabinet (Minute 184 – 10.4.06)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>PRIVATE SECTOR HOUSING – GENERAL</p> <p>To exercise the powers and duties set out in Annex A including powers of entry by warrant where this is not specified in the legislation listed.</p> <p>To authorise updates to the list of legislation set out in Annex A (see also ‘Private Sector Housing’)</p>
EXR2	<p>Housing Portfolio Holder Decision</p> <p>HSG-027-2015/16</p> <p>Dated 11 February 2016</p>	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	<p>RENEWAL OF LEASES WITH NACRO</p> <p>To renew leases (and any subsequent leases) on expiry for a further 5 years on the 12 properties currently leased to NACRO provided there is a continuing need to accommodate vulnerable younger homeless applicants.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXR3	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	SERVICE DIRECTOR (HOUSING & PROPERTY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM; SERVICE DIRECTOR (COMMERCIAL & REGULATORY SERVICES) OR A LEVEL 2 MANAGER NOMINATED BY THEM	RENT ARREARS - DECEASED TENANTS To write off rent arrears in respect of deceased tenants, where there is no means of recovering the debt.
EXR4	Cabinet Minute 46 – 12.9.11	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	RESTRICTIVE COVENANTS – HOUSING IN MULTIPLE OCCUPATION To agree requests to vary restrictive covenants on former Council houses, in order to grant permission for their use as privately-rented shared accommodation, provided all of the conditions set out in Cabinet Minute 46 – 12.9.11 have been met.
EXR5	Housing Portfolio Holder Decision HSG-001-2018/19	ANY LEVEL 4 MANAGER AND SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	AUTHORITY FOR RIGHT TO BUY (RTB) SALES AND POST-COMPLETION RELATED MATTERS To sell the freehold or leases of properties in accordance with then current legislation. Example as of the terms of sale that are prescribed by legislation are: <ul style="list-style-type: none"> • The discount level applicable at the time of sale of a property, • which tenants fulfil the criteria for purchasing their properties (freehold or leasehold) • the method of valuation of a property. To re-mortgage the property without repaying the discount. If the reason the loan is requested for is one specified by statute the Council has no discretion but to

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>consent. There may also be additional borrowing involved (which the Council would agree to postpone its charge for in accordance with statute).</p> <p>Re-mortgages where the Service Director (Housing and Property Services) agrees, if the Council wishes to exercise its discretion and agree to postpone its charge in respect of additional borrowing, which is not to be used for one of the statutory 'approved purposes'.</p> <p>If the owner of a RTB property intends to sell within 10 years, the Council must first be offered the right to buy it back. The Council would either proceed to buy the property back (the purchase being in accordance with statute) or issue a consent to the Land Registry allowing the property to be sold on the open market.</p> <p>To the release of a restriction/charge on the title to a property if the owner repays the discount or the relevant time period has lapsed. (i.e. for matters relating to repayment of discount, discharge of legal charge, redemption of mortgage(s) etc.)</p> <p>For leaseholders, to extend the term of a lease for an additional ninety years from the end of the current lease term. The provisions of the new lease and method of valuation are specified by statute.</p> <p>For leaseholders, to purchase the freehold of a block of flats and the estate if sufficient numbers of tenants apply to the Council. Again, the process to be followed is set out in legislation.</p> <p>For subsequent purchasers of freehold properties to enter onto a Deed of Covenant to ensure that they are bound by the positive covenants mentioned in the Transfer (which do not run with the land).</p> <p>To enter into Deeds of Rectification/Variation to enable us to rectify errors relating to title, plans etc.</p> <p>To give delegated authority to the Service Director (Housing and Property Services) to determine requests for the release of covenants restricting development within the curtilages of properties previously sold under the Right to Buy, and whether or not the release should be agreed, having regard to what would be the reasonable</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>viewpoint of both parties, noting that the Council is not entitled to any payment for the release of the covenant (other than payment of the Council's reasonable legal costs), in accordance with current case law.</p> <p>(The Housing Act 1985 and various other acts and subsequent legislation (i.e. statutory instruments) govern the Right to Buy sales and other related matters; the list mentioned above is not exhaustive. Any future legislation will also impact the way such matters are dealt with.)</p> <p>To sign documentation/letters that require execution by way of signature, such as, pre-emption rights consent, exempted disposal consent, postponement letters and similar consents.</p>
EXS1	<p>Cabinet (Minute 184 – 10.4.06)</p> <p>Leader decision 2/11 (May 2011)</p> <p>Portfolio Holder Decision ENV/004/2009-10</p> <p>Council (Minute – 20.4.10)</p>	<p>SERVICE DIRECTORS CONTRACTS AND TECHNICAL SERVICES OR COMMERCIAL AND REGULATORY SERVICESs (or suitably qualified officers authorised by the above-named)</p> <p>Appropriate Portfolio Holder</p>	<p>“SAFER, CLEANER, GREENER” LEGISLATION – AUTHORISATION OF OFFICERS</p> <p>To exercise those functions relating to the management and provision of the Environmental Health Service set out in the list of environmental health legislation in Annex B including, where necessary, powers of entry by warrant.</p> <p>To delegate appropriate powers to Officers relating to the management and provision of the Environmental Health Service set out in the attached list of environmental health legislation as set out in Annex B.</p> <p>To approve updates to the list of environmental legislation set out in Annex B.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS2	Council (Minute 24(2) – 30.6.81)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (after considering the views of the Portfolio Holder)	SALE OF COUNCIL HOUSES - DISCOUNTS To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.
EXS3	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SALE OF COUNCIL HOUSES - RESTRICTIVE COVENANTS, MINOR EXTENSIONS AND ALTERATIONS To deal with applications for minor extensions or alterations in sold Council houses in accordance with the terms of the house sales agreement. To agree, in consultation with the Portfolio Holder, future requests for release of restrictive covenants to allow development within the curtilage of former Council properties, prior to planning permission being obtained. To negotiate terms for the release of covenants agreed by the Service Director (Housing and Property Services), subject to the outcome being reported to the Portfolio Holder for approval.
EXS4	Council (Minute 11(c) – 2.6.77)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SALE OF COUNCIL HOUSES - VALUATIONS To carry out all valuations in respect of sale of Council houses.
EXS5	Policy and Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	SECURITIES To act as proper officer for the purposes of Section 146 (1)(a)(b) of the Local Government Act 1972 (declarations and certificates regarding securities).

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS6	Public Health Committee (Minute 73 – 21.9.83)	HPA (Any Consultant member of staff)	SHIPS To act as proper officer to the Council for the purposes of the Public Health (Ships) Regulations 1970.
EXS7	Housing Committee (Minute 121 – 8.11.77)	SERVICE MANAGER LEGAL SERVICES (in consultation with Service Director Housing and Property Services)	SQUATTERS - EVICTION To take such urgent action as is necessary to secure the vacation of any Council properties, which are occupied by squatters.
EXS8	Deleted July 2018		
EXS9	Personnel Sub-Committee (Minute 3 – 31.5.83)	ANY LEVEL 3 OR 4 MANAGER	STAFF - TRAVELLING ALLOWANCES To consider and adjudicate on any request to make an exception to policy for reimbursement of travelling expenses in pursuance of an officer's duties, being limited to second class rail fare.
EXS10	Deleted July 2018		
EXS11	Policy & Co-ordinating Committee (Minute 23 – 5.10.93)	ANY LEVEL 3 OR 4 MANAGER	SUBSCRIPTIONS - OUTSIDE ORGANISATIONS To pay subscriptions in respect of organisations on which the Council is represented at member level.
EXS12	Public Health Committee (Minute 46 – 19.9.84)	SERVICE MANAGER LEGAL SERVICES IN CONJUNCTION WITH THE RELEVANT SERVICE DIRECTOR	SUNDAY TRADING - CAR BOOT SALES To institute proceedings in respect of such sales where complaints have been received and satisfactory evidence is available.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXS13	Portfolio Holder decision reference H/026/2002-3	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	SUPPORTING PEOPLE – SIGNING OF CONTRACTS To sign the Supporting People “Block Subsidy” and “Block Grants” contracts with Essex County Council for 2003/03, and subsequent years, in order to receive funding from the Essex Supporting People Commissioning Body for the provision of support services.
EXT1	Council Minute 127 – 23.4.13	CHIEF FINANCIAL OFFICER	TAX BASE To declare the Council’s Domestic and NNDR Tax Bases in accordance with the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 and any subsequent legislation.
EXT2	Personnel Sub-Committee (Minute 37 – 14.2.74)	ANY LEVEL 3 OR 4 MANAGER OR LEVEL 2 MANAGER NOMINATED BY THEM	TEMPORARY STAFF To engage temporary staff and/or part time staff and subject to the overall estimated salaries bill for the service concerned not being exceeded in any one year.
EXT3	Housing Services Committee (Minute 6(a)(iii) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES - COUNCIL HOUSES To allocate tenancies in accordance with the Housing Allocation Scheme.
EXT4	Portfolio Holder Decision (23.8.04)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES – DEMOTED TENANCY ORDERS Inter alia: (1) To serve demoted tenancy notices in appropriate cases; (2) To apply to the County Court for Tenancy Demotion Orders and subsequent Possession Orders in appropriate cases.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXT5	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	TENANCIES - SERVICE To accept any application for priority Council housing in cases where a tenant of service accommodation reaches retirement age after having occupied the accommodation for a minimum of 15 years.
EXU1	Housing Portfolio Holder Decision HSG/-33/2013-14	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	USE OF OPEN SPACES ON LAND HELD UNDER HOUSING ACT POWERS To agree or refuse (in consultation with Ward Members), events managed by Town and Parish Councils or other organisations on any land held under Housing Act powers; provided the Council enters into an Agreement with the organisation meeting the Council's required conditions.
EXW1	Housing Services Committee (Minute 6(d)(1) – 29.10.73)	SERVICE DIRECTOR HOUSING AND PROPERTY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM	WARRANTS OF DISTRAINT To issue warrants of distraint in housing cases.
EXW2	Development Committee (Minute 60 – 6.1.93) Public Health Committee (Minute 52 – 17.11.92) Housing Committee (Minute 56 – 24.11.92) Development Committee (Minute 60 – 6.1.92)	SERVICE MANAGER LEGAL SERVICES IN CONSULTATION WITH THE RELEVANT SERVICE DIRECTOR	WARRANTS FOR ENTRY To make applications to the Magistrates Court for entry pursuant to the Environmental Protection Act 1990, Public Health Acts 1936-61, Control of Pollution Act 1974, Clean Air Acts 1956-68, Food Safety Act 1990, Building Act 1984, Housing Acts 1957-85 and Local Government and Housing Act 1989. To make applications to the Magistrates' Court for warrants of entry in accordance with the Building Act 1984 and the Town and Country Planning 1990.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EXW3	Public Health Committee (Minute 144(a) – 9.3.77)	SERVICE DIRECTOR COMMERCIAL AND REGULATORY SERVICES OR A LEVEL 2 MANAGER NOMINATED BY THEM (after consideration of any views of the Portfolio Holder and local ward member(s))	WASTE DISPOSAL ON LAND To submit representations to Essex County Council on any proposed licence.

DELEGATIONS UNDER THIS ANNEX MAY BE UNDERTAKEN BY ANY CHIEF OFFICER (OR OFFICER APPOINTED BY THEM) PURSUANT TO THEIR AREA OF MANAGERIAL RESPONSIBILITY

PRIVATE SECTOR HOUSING - SCHEDULE OF DELEGATION

Building Act 1984

Sections 59-62, 63, 64, 66, 67, 68, 70, 71, 76, 79, 84-85, 91-115.

Caravan Sites and Control of Development Act 1960

Sections 1, 2, 3, 4-5, 8-11, 12, 23, 24, 25, 26.

Caravan Sites Act 1968

Sections 3, 14.

Civil Evidence Act 1995

Section 9.

Clean Neighbourhoods and Environment Act 2005

Sections 102, 103.

Criminal Procedure and Investigations Act 1996

Section 26.

Environmental Protection Act 1990

Sections 79-82, Schedule 3.

Home Energy Conservation Act 1995

Sections 2, 5.

Home Safety Act 1961

Section 1.

Housing Act 1985

Sections 17, 54, 265-275, 289, 290-297, 300-306, 308, 309, 319, 320, 324-340, 435-443, 523, 535-537, 540-542, 544-546, 584A, 584B, 596, 597, 609, 611, 617.

Housing Grants, Construction and Regeneration Act 1996

Sections 1-3, 19, 21-24, 29-31, 34-44, 51, 52, 55-57, 95.

Housing Act 2004

Sections 4, 5, 7, 8, 10, 11, 12, 16, 17, 20, 21, 25-29, 31-32, 40-43, 46, 47, 49, 50, 55-62, 64-67, 69, 70, 73, 74, 102-107, 110-113, 115, 116, 121, 122, 127, 129-131, 133, 136-140, 144, 210, 225, 232, 232-236, 239, 243, 255, 256.

Landlord and Tenant Act 1985

Sections 1, 2, 4, 8, 11, 12, 20, 34.

Local Government Act 1974

Section 36.

Local Government and Housing Act 1989

Sections 89-93, 95, 97, 169.

Local Government (Miscellaneous Provision) Act 1976

Section 13, 15, 16, 33, 35.

Local Government (Miscellaneous Provision) Act 1982

Sections 27, 29, 30, 31, 32, 33, 37, 41.

Planning and Compensation Act 1991

Sections 196A-C

Prevention of Damage by Pests Act 1949

Sections 4-7, 10, 22, 26.

Protection from Eviction Act 1977

Sections 6, 7.

Protection from Harassment Act 1997

Sections 1, 6, 7.

Public Health Act 1936

Sections 1, 45, 48-50, 83, 84-87, 264, 265, 268-270, 275, 276, 278, 284, 287, 290, 291, 293, 298.

Public Health Act 1961

Section 17, 22, 34, 36, 37, 73, 74.

Town and Country Planning Act 1990 (as amended)

Sections 215 – 219

DELEGATIONS UNDER THIS ANNEX MAY BE UNDERTAKEN BY ANY CHIEF OFFICER (OR OFFICER APPOINTED BY THEM) PURSUANT TO THEIR AREA OF MANAGERIAL RESPONSIBILITY

LIST OF SAFER, CLEANER, GREENER LEGISLATION

Animal Boarding Establishments Act 1963

Sections 1, 2 and 4.

Animal Welfare Act 2006

All

Anti-Social Behaviour Act 2003

Sections 40 and 41

Anti-Social Behaviour, Crime and Policing Act 2014

Sections 43 to 68

Breeding and Sale of Dogs (Welfare) Act 1999

All

Breeding of Dogs Act 1973

All

Breeding of Dogs Act 1991

All

Building Act 1984

Sections 59-62, 63, 64, 66, 67, 68, 71, 76, 79, 84-85, 91-115

Burial Act 1857

Section 25

Caravans Sites and Control of Development Act 1960

All

Charities Act 2006

All

Chronically Sick and Disabled Persons Act 1970

Section 4

Cinemas Act 1985

All

Civil Contingencies Act 2004

All

Clean Air Act 1993

Sections 4, 6 to 12, 15, 16, 18, 19, 22(3), 24 to 26, 30, 31, 34, 35, 35(2), 35(4) 36, 38, 39, 45 to 48, 51, 55, 56, 57(5), 58, 60.

Clean Neighbourhoods and Environment Act 2005

All

Consumer Rights Act 2015

Schedule 5

Contaminated Land (England) Regulations 2006 as amended by the Contaminated Land (England)(Amendment) Regulations 2012

All

Control of Dogs Order 1992

Sections 4 and 5

Control of Pollution Act 1974

Section 22

Section 23

Sections 57, 60, 61, 62, 68, 91 and 93

Control of Pollution (Amendment) Act 1989

All

Crime and Disorder Act 1998

Section 1

Criminal Justice and Police Act 2001

Sections 13, 19, 20, 22 and 25

Sections 50, 52 to 55 and 60 to 62

Criminal Justice and Public Order Act 1994

Sections 77, 78, 79(3), and 163

Criminal Procedure and Investigations Act 1996

Section 26

Dairy Products (Hygiene) Regulations 1995 Regulations 6, 6(11), 7, 8, 16 and 19**Dangerous Dogs Act 1991**

Section 5

Dangerous Wild Animals Act 1976

Sections 1, 3(1) to 3(3) and 4

Egg Products (Regulations) 1993

Regulations 5, 5(5), 8 and 9

Environment Act 1995

Sections 82 to 84, 88 and 90

Sections 108 to 113

Paragraphs 2 and 6 of Schedule 18

Environment and Safety Information Act 1988

Sections 1 and 3

Environmental Permitting (England and Wales) Regulations 2010

All

Environmental Protection Act 1990

Parts I, II, III, IV, VIII.

Epping Forest DC Bye laws for Acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis

All

Food Premises (Registration) Regulations 1991

All

Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998

All

Food Safety & Hygiene (England) Regulations 2013 (as amended)

All

Food Safety Act 1990

Sections 5 and 6

Sections 9 and 10

Sections 11, 11(6) and 11(7)

Section 12

Sections 18, 19, 23, 27 and 28

Section 29

Section 30

Section 31

Section 32

Sections 32(2), 40 to 42, 44 to 46 and 49

Game Act 1831

Section 18

Gambling Act 2005

All

Guard Dogs Act 1975

Section 3

Health Act 2004

Sections 1 to 12

Health and Safety at Work etc Act 1974

Sections 20, 21, 22, 25 and 39 and to exercise all the powers of an inspector contained in all the other relevant statutory provisions. To institute proceedings in England and Wales pursuant to section 38.

Home Safety Act 1961

Section 1

Licensing Act 2003

All

Local Government (Miscellaneous Provisions) Act 1976

Sections 13, 15, 16, 20, 33, 35, Part II

Local Government (Miscellaneous Provisions) Act 1982

Sections 2, 27, 29, , 32

Meat and Meat Preparations (Hygiene) Regulations 1995

Regulations 4, 5 and 12

Meat Products (Hygiene) Regulations 1994

Regulations 4 to 6, 12 and 17

National Assistance Act 1948

Section 47

Noise Act 1996

All

Noise and Statutory Nuisance Act 1993

Section 10

Official Feed and Food Controls (England) Regulations 2009

All

Performing Animals (Regulation) Act 1925

Sections 1 to 4

Pet Animals Act 1951 (as amended)

All

Police and Criminal Evidence Act 1984

Section 67(9)

Pollution Prevention and Control Act 1999

Section 2

The Pollution Prevention and Control (England and Wales) Regulations 2000

All

Poultry Meat (England) Regulations 2011

All

Prevention of Damage by Pests Act 1949

Sections 2, 4 to 7, 10, 19, 22 and 26

Private Water Supplies (England) Regulations 2016

All

Public Health (Control of Disease) Act 1984

Sections 1, 11, 13, 16, 18, 20 to 24, 26 to 32 and 34 to 43, 47, 48, 54, 56 to 59, 61, 64 and 69

Public Health Act 1925

Section 14

Sections 17 to 19

Section 56

Public Health Act 1936

Sections 1, 45, 48 to 50, 83, 84 to 87, 124, 140, 221, 222, 223, 227, 260, 261, 264, 265, 268 to 270,

275, 276, 278, 284, 287, 290, 291, 293 and 298

Public Health Act 1961

Sections 17, 22, 34, 36, 37, 45, 73, 74 and 77

Refuse Disposal Amenity Act 1978

Sections 1, 2, 3, 4, 5, 6, 7 and 8

Riding Establishments Acts 1964 and 1970

All

Scrap Metal Dealers Act 2013

All

Slaughter of Poultry Act 1967

Sections 4 and 6

Sunbeds (Regulation) Act 2010

All

Sunday Trading Act 1994

Section 2(3)

Paragraphs 4(3) and 5 of Schedule 1

Paragraphs 1 and 2 of Schedule 2

Paragraphs 3, 7 and 8 of Schedule 3

Town and Country Planning Act 1990

Sections 215, 224 and 225

Town Police Clauses Act 1847 and 1889

Sections 21, 37 to 68

Water Industry Act 1991

Sections 77 to 85

Section 115

Section 200

Water Supply (Water Quality) Regulations 2016

All

Zoo Licensing Act 1981

All

Report to the Council

Date 5 November 2019

Subject: Moreton, Bobbingworth and the Lavers Neighbourhood Plan

Portfolio Holder: Councillor J Philip

Recommending:

That the Moreton, Bobbingworth and the Lavers Neighbourhood Plan be 'made' (adopted) as part of the Epping Forest District's statutory development Plan.

Background

The 2011 Localism Act allowed for local communities to shape their areas by enabling town and parish councils along with other designated bodies to prepare neighbourhood development plans. A detailed legislative framework for undertaking neighbourhood planning was set out in the Neighbourhood Planning Regulations 2012 (as amended).

There are a number of legally prescribed stages that need to be undertaken in preparing a Neighbourhood Plan. The Plan needs to be subject to examination by an independent examiner against the basic conditions set out in the Localism Act 2011 (as amended). Subject to a positive outcome from such an examination the plan then proceeds to a referendum. Where a Neighbourhood Plan is subject to a successful referendum, and the local planning authority is satisfied that EU and human rights obligations have been met, it is a legal requirement to bring the Plan into force as soon as reasonably practicable.

A Neighbourhood Plan, once adopted, forms part of the statutory development plan and carries the same weight as the Epping Forest District Local Plan.

Background to the Moreton, Bobbingworth and the Lavers Neighbourhood Plan

Moreton, Bobbingworth and the Lavers (MBL) Parish Council started to prepare a Neighbourhood Plan for the Parish in 2013. An initial Draft Neighbourhood Plan was produced and consulted upon in 2014 and subsequently, a further Draft Plan was produced and consulted upon in 2015. The Plan was submitted for Examination and the Examiner's report was published on 18 May 2016. The report recommended that the Plan should not proceed to referendum because it did not meet the basis conditions. The Examiner's report was considered at the District Council's Cabinet meeting on 21 July 2016 where it was agreed that the proposed Neighbourhood Plan should be refused and therefore should not proceed to the referendum stage.

Since 2016 the Draft Plan has been revised by the Parish Council and further consultation was undertaken in 2017. A revised Neighbourhood Plan was submitted to the District Council on 30 November 2018 and was published under Regulation 16 between 22 January 2019 and 5 March 2019. The Examination took place between April 2019 and June 2019 by way of written representation. The Examiner's Report was received on 17 June 2019 and recommended that, subject to a number of modifications, the Draft MBL Neighbourhood Plan met the basic conditions and should progress to referendum.

The Examiner's report and recommendations were considered at the District Council's Cabinet meeting on 11 July 2019. Cabinet resolved to accept all the Examiners

recommendations and that the Draft MBL Neighbourhood Plan meets the basic conditions and it should therefore progress to a local referendum as soon as practicable.

A referendum was held on 26 September 2019 with the question “*Do you want Epping Forest District Council to use the Neighbourhood Plan for Moreton, Bobbingworth and the Lavers to help it decide planning applications in the Neighbourhood Area?*” 236 (22.5%) of registered electors recorded votes, of which 216 (91.5%) were in favour of ‘yes’. Given the outcome of the referendum and in accordance with part 2(9) of the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, the District Council must formally ‘make’ the Neighbourhood Plan within 8 weeks of the referendum. The Neighbourhood Plan will form part of the statutory development plan and sit alongside Epping Forest District’s Local Plan. Decisions on planning applications will be made using both the Local Plan and the Neighbourhood Plan, and any other material considerations.

Other Options for Action:

Delay or refuse to ‘make’ the Draft MBL Neighbourhood Plan. This would mean that the Council is not meeting the legislative requirements and is not fulfilling its statutory duty in the production of neighbourhood plans.

Background Papers:

Examiner’s Report on the Draft MBL Neighbourhood Plan (2018)

The Draft MBL Neighbourhood Plan (as amended) and associated documents

Report to the District Council’s Cabinet on 11 July 2019

All documentation is available on the District Council’s website at:

<https://www.eppingforestdc.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/moreton-bobbingworth-and-the-lavers-parish-council-neighbourhood-plan/>