

# EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

**Committee:** Council **Date:** 8 February 2021

**Place:** Virtual Meeting on Zoom **Time:** 7.00 - 9.01 pm

**Members Present:** Councillors H Kane (Chairman), J Share-Bernia, N Avey, R Bassett, R Baldwin, A Beales, N Bedford, P Bolton, H Brady, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Heather, R Jennings, J Jennings, S Jones, S Kane, H Kauffman, P Keska, Y Knight, J Lea, J Leppert, A Lion, C McCredie, M McEwen, J McIvor, L Mead, 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, M Sartin, P Stalker, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

**Apologies:** Councillors A Mitchell

**Officers Present:** G Blakemore (Chief Executive), N Dawe (Chief Operating Officer), A Small (Strategic Director Corporate and 151 Officer), N Boateng (Service Manager (Legal) & Monitoring Officer), A Blom-Cooper (Interim Assistant Director (Planning Policy)), N Richardson (Service Director (Planning Services)), T Carne (Corporate Communications Team Manager), G Woodhall (Team Manager - Democratic & Electoral Services), J Leither (Democratic Services Officer), A Hendry (Democratic Services Officer), S Mitchell (PR Website Editor) and P Seager (Chairman's Officer)

**Guest:** J Maurici QC (Legal Advisor)

## 56. WEBCASTING INTRODUCTION

The Democratic and Electoral 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.

## 57. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non-pecuniary interest in agenda item 3 by virtue of being a member and an ambassador of the Epping Forest Heritage Trust, he advised that he would remain in the meeting and vote on this item.

(b) Pursuant to the Council's Code of Member Conduct, Councillor D Wixley declared a non-pecuniary interest in agenda item 3 by virtue of being a member of the Epping Forest Heritage Trust, he advised that he would remain in the meeting and vote on this item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J H Whitehouse declared a non-pecuniary interest in agenda item 3 by virtue of being a member of the Epping Forest Heritage Trust, he advised that she would remain in the meeting and vote on this item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor B Jennings declared a non-pecuniary interest in agenda item 3 by virtue of being a member of

the Epping Forest Heritage Trust, he advised that he would remain in the meeting and vote on this item.

(e) Pursuant to the Council's Code of Member Conduct, Councillor J Jennings declared a non-pecuniary interest in agenda item 3 by virtue of being a member of the Epping Forest Heritage Trust, she advised that he would remain in the meeting and vote on this item.

(f) Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse declared a non-pecuniary interest in agenda item 3 by virtue of being a member of the Epping Forest Heritage Trust, he advised that he would remain in the meeting and vote on this item.

## 58. MOTIONS

### (a) Epping Forest District Council

**Moved by Councillor Chris Pond and seconded by Councillor Jon Whitehouse**

"That this Council resolves:

(i) it will determine planning applications only on the basis of the law, including the National Planning Policy Framework (NPPF) and other National Planning Guidance, the 1998 Local Plan, and the latest iteration of the new Local Plan, incorporating provisions which have been approved after consultation with the public and examination by the Inspector; and

(ii) the Interim Air Quality Strategy December 2020, and any prospect of a Clean Air Zone (CAZ) made under it, unless and until it has been approved and so incorporated by her, together with evidence the CAZ can be implemented prior to the erection and completion of any new housing, cannot carry any material planning weight and should be treated as wholly null and void."

**Amendment moved by Councillor N Bedford and seconded by Councillor J Philip**

"That the following amendments be made to the motion:

(i) deletion of wording at the end of paragraph (i) "incorporating provisions which have been approved after consultation with the public and examination by the Inspector;" and

(ii) deletion of paragraph (ii) and substitution of the following revised paragraph:

"that the Cabinet Member for Planning and Sustainability will form a cross party Portfolio Holder Advisory Group in no more than 1 month from the date of this resolution;"

(iii) addition of a new paragraph (iii)

"the Group is formed to support the Portfolio Holder in the delivery of the Interim Air Pollution Mitigation Strategy and provide oversight of the work of the Technical Stakeholder Group. This could include working with officers to identify where further initiatives not identified in the APMS could be brought forward to advance Air Quality Improvements with the objective of removing the need to introduce a Clean Air Zone (CAZ). Alongside the acceleration and enhancement of mitigation measures the

Portfolio Holder Advisory Group will provide democratic oversight of the development of any CAZ scheme prior to its consideration through the Council's formal decision-making processes and public consultation on it in the event that future air quality monitoring and modelling continues to demonstrate that, even after the acceleration and enhancement mitigation measures, a CAZ is required".

**Carried**

**Motion as amended ADOPTED**

**RESOLVED:**

The Council hereby declares that:

(i) it will determine planning applications only on the basis of the law, including the National Planning Policy Framework (NPPF) and other National Planning Guidance, the 1998 Local Plan, and the latest iteration of the new Local Plan;

(ii) that the Cabinet Member for Planning and Sustainability will form a cross party Portfolio Holder Advisory Group in no more than 1 month from the date of this resolution; and

(iii) the Group is formed to support the Portfolio Holder in the delivery of the Interim Air Pollution Mitigation Strategy and provide oversight of the work of the Technical Stakeholder Group. This could include working with officers to identify where further initiatives not identified in the APMS could be brought forward to advance Air Quality Improvements with the objective of removing the need to introduce a Clean Air Zone (CAZ). Alongside the acceleration and enhancement of mitigation measures the Portfolio Holder Advisory Group will provide democratic oversight of the development of any CAZ scheme prior to its consideration through the Council's formal decision-making processes and public consultation on it in the event that future air quality monitoring and modelling continues to demonstrate that, even after the acceleration and enhancement mitigation measures, a CAZ is required.

**CHAIRMAN**