



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 at 7.00 pm on Thursday, 28 October 2021 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:**

Gary Woodhall / J Leither 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 and Electoral Services Team 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. FORMER COUNCILLOR H TAYLOR

The Council is invited to stand for a minute’s silence in tribute to the memory of former District Councillor and Chairman of Council Harry Taylor, who recently passed away.

Former Councillor Harry Taylor served as a Conservative District Councillor representing the High Beach Ward of Waltham Abbey from 1974 to 1987 then representing Waltham Abbey West from 1991 to 1995 and 1999 to 2003. Former Councillor Taylor became Vice Chairman of Council in 1978/79 and he was elected as Chairman in the 1979/80 municipal year. During his terms of office former Councillor Taylor served on various committees, sub-committees and working groups, including the Development Committee, Plans Sub-Committee C as Chairman, Public Health Committee as Vice Chairman and the Grange Farm Management Sub-Committee as Vice Chairman.

Former Councillor Taylor also sat as the Council’s representative on various outside bodies, Association of District Councils (Essex Branch), Citizens Advice Bureau Cheshunt and Waltham Abbey, Waltham Abbey Community Association and Waltham Holy Cross Old People’s Welfare Committee.

3. APOLOGIES FOR ABSENCE

To be announced at the meeting.

4. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

5. MINUTES (Pages 9 - 28)

To approve as a correct record and sign the minutes of the meeting held on the 29 July 2021, as attached.

6. ANNOUNCEMENTS

(a) Chairman’s Announcements

7. PUBLIC QUESTIONS (IF ANY)

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.

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

8. 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.

Question by Councillor C C Pond to the Portfolio Holder for Planning Services, Councillor N Bedford

To prevent the uncontrolled exercise of inappropriate and deleterious development, will the PFH for planning please give 12 months public notice of issuing article 4 directions to prevent the use of permitted development rights in respect of the following:

- Conversion of shops to residential units;
- Conversion of offices and similar buildings to residential units; and

- Any works to frontages, boundaries, roofs and the surfacing of front gardens in conservation areas and heritage assets, similar to those imposed by EFDC on two CAs 25 years ago.

9. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET (Pages 29 - 82)

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 Community and Regulatory Services Portfolio Holder (attached);
- (c) Report of the Corporate Services Portfolio Holder (attached);
- (d) Report of the Customer and Partnerships Portfolio Holder (attached);
- (e) Report of the Environmental and Technical Services Portfolio Holder (attached);
- (f) Report of the Finance, Qualis Client and Economic Development Portfolio Holder (attached);
- (g) Report of the Housing Services Portfolio Holder (attached); and
- (h) Report of the Planning and Sustainability Portfolio Holder (attached).

10. 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.

11. MOTIONS

(a) Universal Credit and Working Tax Credit

Proposed by: Cllr Stephen Murray

Seconded by: Cllr Steven Neville

“That Epping Forest District Council notes that:

- (1) The Government has, as from 6th October 2021, cut universal credit and working tax credit by £20 a week;
- (2) This weekly cut is equivalent to £1,040 a year;
- (3) Epping Forest Food-bank estimates that here in Epping Forest this decision is likely to have a serious impact on more than 9,000 people; and
- (4) That Epping Forest District Council resolves to ask our three local MP’s to actively seek the reinstatement of this £20 cut as soon as possible.

12. APPOINTMENT TO OUTSIDE BODY - WHIPPS CROSS JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

(Leader) At the last meeting of Council on 29 July 2021, Councillor A Patel was nominated to be the Council’s representative but it was suggested that under primary legislation the nomination of an Executive Member to this panel was debarred. However, as this was an observer position clarification would need to be sought.

Clarification has now been sought and Councillor J Share-Bernia is nominated instead of Councillor A Patel to represent the Council as a non-voting member to sit on the Joint Health Overview and Scrutiny Committee. The Council is asked to consider this, and any other nominations from the other Groups, before deciding who the Council’s representative should be.

13. COUNCILLOR D PLUMMER - RESOLUTION TO EXTEND 6-MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972

Recommended:

That Council approves an extension of the 6-month rule for Councillor D Plummer on ill-health grounds until the 24 May 2022.

(Leader of the Green Party, Councillor S Neville) To consider an extension of the 6-month rule for Councillor D Plummer, having regard to the circumstances of his absence from meetings.

Section 85 of the Local Government Act 1972 requires a Member to attend a meeting no longer than six consecutive months from the date of their last attendance, failure to do so unless approved by the authority before the expiry of that period, means that the member ceases to be a member of the authority.

Councillor D Plummer has been unable to attend meetings since May 2021 on family

matters and ill health grounds and has requested an extension for absence until 24 May 2022. This would not prevent Councillor Plummer from returning to meetings at any time, if his health allowed, but would give flexibility and prevent further recourse to Council.

14. AUDIT AND GOVERNANCE COMMITTEE - ANNUAL REPORT 2020/21 (Pages 83 - 90)

(Chairman of the Audit and Governance Committee) To consider the attached report recommending that the Annual Report of the Audit and Governance Committee 2020/21 be noted.

15. CONSTITUTION WORKING GROUP (Pages 91 - 130)

(Chairman of the Constitution Working Group) To consider the attached report recommending that the Constitution be amended as detailed in the report.

16. OVERVIEW AND SCRUTINY COMMITTEE (Pages 131 - 132)

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

17. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS (Pages 133 - 134)

(a) To receive from Council representatives the reports (attached) on the business of joint arrangements and external organisations and to receive answers 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.

18. 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 Information Paragraph Number
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.