



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, 26 May 2022 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 / Jackie 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.

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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. DISTRICT COUNCIL ELECTIONS - 6 MAY 2022

The Chairman to welcome the following newly elected* and re-elected members of the Council following the elections held on 5 May 2022.

| Councillor | Ward |
|--------------------|---|
| Elizabeth Gabbett* | Buckhurst Hill East |
| Smruti Patel* | Buckhurst Hill West |
| Darshan Sunger | Chigwell Village |
| Basil Vaz | Chipping Ongar, Greensted ad Marden Ash |
| Janet Whitehouse | Epping Hemnall |
| Leslie Burrows | Epping Lindsey and Thornwood Common |
| Alan Lion | Grange Hill |
| Ian Allgood* | Loughton Alderton |
| Christopher Pond | Loughton Broadway |
| Louise Mead | Loughton Fairmead |
| Roger Baldwin | Loughton Forest |
| Stephen Murray | Loughton Roding |
| Robert Jennings | Loughton St John's |
| Howard Kauffman | Loughton St Mary's |
| Ronda Pugsley* | Lower Nazeing |
| Peter Bolton | North Weald Bassett |
| Clive Amos | Theydon Bois |
| David Stocker | Waltham Abbey Honey Lane |
| Shane Yerrell | Waltham Abbey Paternoster |
| Jodie Lucas | Waltham Abbey North East |

The Chairman will present the declaration of acceptance of office certificates to the newly elected members.

3. ELECTION OF CHAIRMAN

To elect a Chairman of the Council for the municipal year 2022/23.

The new Chairman will then make a declaration of acceptance of office.

4. APPOINTMENT OF VICE-CHAIRMAN

To appoint a member to be Vice-Chairman of the Council for the municipal year 2022/23. Nominations received will be reported at the meeting.

The new Vice-Chairman will then make a declaration of acceptance of office.

5. APOLOGIES FOR ABSENCE

To be announced at the meeting.

6. DECLARATIONS OF INTEREST

To declare interests in any item on the agenda.

7. MINUTES (Pages 7 - 44)

To approve as a correct record and sign the minutes of the meetings held on 24 February 2022 and 5 April 2022 (attached).

8. ANNOUNCEMENTS**(a) Chairman's Announcements****(b) Members not seeking Re-election or not Re-elected**

The Council noted that Joanne Share-Bernia, Buckhurst Hill West, David Dorrell, Waltham Abbey Paternoster, Steven Neville, Buckhurst Hill East, Ann Mitchell, Waltham Abbey North East and Yolanda Knight Lower Nazeing had not sought re-election on 5 May 2022; and

Sue Jones, Theydon Bois was not re-elected on 5 May 2022.

Members who achieve a certain period of service are asked to attend the meeting to receive a Long Service Award in recognition of their service to the Council.

Ann Mitchell, who represented Waltham Abbey North East for 11 years, Sue Jones who represented Theydon Bois for 12 years and Yolanda Knight who represented Lower Nazeing for 12 years are each entitled to receive a bronze long service award.

9. REPORT OF THE APPOINTMENT PANEL

Leader of Council will present the report (to follow) regarding:

- (a) Notice of Constitution of Political Groups, Group Leaders and Deputies;
- (b) Appointments made by the Leader to the Cabinet, Cabinet Committees and Outside Organisations carrying out Executive Functions;
- (c) Membership, Chairmanship and Vice-Chairmanship of Committees, Sub-Committees and Panels (Non-Executive Bodies);
- (d) Appointments to Outside Organisations carrying out Council, regulatory or non-Cabinet Functions.

The Council will need to vote on (c) and (d) where the number of nominations exceed the number of places available.

10. SCHEME OF DELEGATIONS

The Constitution requires that the scheme of delegation should be agreed at the Annual meeting (report to follow).

11. COUNCIL MEETING DATES FOR 2022/23

Recommendation:

That during 2022/23 ordinary meetings of Council are to be held on the following dates:

28 July 2022;
11 October 2022;
13 December 2022;
28 February 2023;
04 April 2023; and
25 May 2023 (Annual Meeting).

At its meeting on 24 February 2022, the Council adopted the calendar of meetings for the period from May 2022 to May 2023 which included ordinary meetings of the Council for the year.

It is a requirement of the Constitution that a programme of ordinary meetings of the Council be approved at the annual meeting of the Council. The dates set out above are those adopted on 24 February 2022.

12. CONSTITUTION WORKING GROUP REPORT (Pages 45 - 50)

(Chairman of the Constitution Working Group) To receive a report from the Chairman of the Constitution Working Group recommending that Terms and Conditions are incorporated into Article 10 of the Constitution regarding the Joint Meeting of Development Management Chairmen and Vice-Chairmen as detailed in the report.

13. 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.

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

| | | | |
|--------------------------------------|--|--------------|----------------------------|
| Committee: | Council | Date: | Thursday, 24 February 2022 |
| Place: | Council Chamber - Civic Offices | Time: | 7.00 - 9.32 pm |
| Members Present: | H Kane (Chairman), J Share-Bernia (Vice-Chairman), R Balcombe, R Bassett, N Bedford, P Bhanot, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Heather, R Jennings, J Jennings, J Jogia, S Jones, S Kane, P Keska, J Lea, A Lion, T Matthews, C McCredie, J McIvor, R Morgan, S Murray, S Neville, C Nweke, M Owen, A Patel, J Philip, S Rackham, C Roberts, B Rolfe, M Sartin, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and K Williamson | | |
| Members Present (Virtually): | R Baldwin, H Kauffman, L Mead, Caroline Pond, C C Pond, K Rizvi, P Stalker and D Wixley | | |
| Apologies: | N Avey, D Barlow, P Bolton, H Brady, A Mitchell and D Plummer | | |
| Officers Present: | G Blakemore (Chief Executive), A Small (Strategic Director Corporate and 151 Officer), C Hartgrove (Interim Chief Financial Officer), G Woodhall (Team Manager - Democratic & Electoral Services), J Leither (Democratic Services Officer) and P Seager (Chairman's Officer) | | |
| Officers Present (Virtually): | A Hendry (Democratic Services Officer) | | |

60. 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.

61. DECLARATIONS OF INTEREST

- (a) Pursuant to the Council's Code of Member Conduct, Councillor R Basset declared a non-pecuniary interest in agenda item 17 due to being a non-executive director of Qualis.
- (b) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non-pecuniary interest in agenda item 11 by virtue of knowing Stephen Lye, Chairman of the Members' Remuneration Panel.

62. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 16 December 2021 be taken as read and signed by the Chairman as a correct record.

63. ANNOUNCEMENTS**Chairman's Announcements****(a) Civic Awards**

The Chairman announced that this year's Civic Awards would be held in the Conference Suite at the Civic Offices on the 19 March 2022. This would be a great trial of using the Conference Suite on such a scale and if all goes well then many more events could be held there.

Unfortunately, only 100 people can be accommodated for, I know many will be disappointed but I have had to limit the number of attendees on this occasion. Hopefully next year everyone can attend and enjoy the award ceremony.

(b) Flowers

The Chairman announced that she intended that the flowers from this evening's meeting to go to the reception area in the Civic Offices to be enjoyed by all of the staff and visitors.

(c) Russian invasion of the Ukraine

It was with great sadness that I hear this morning of the Russian invasion of the Ukraine, my thoughts and prayers and I hope I speak for everyone here tonight, are with the people of the Ukraine in these very dark hours.

64. PUBLIC QUESTIONS (IF ANY)**Draft Budget Reports and supporting Appendix with reference to Epping High Street****Question by G Foy to Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder**

To consider if it was appropriate for the proposed request for another £100k to support the digging up of the recently laid Yellow Tarmac, costing £84k, and replacing it to make it a permanent change should be justified based on just 37 positive responses out of 58 responses received back to the survey in August 2021, at a time when social distancing was still a worry for many and that it would be 15 Bays that have been lost and not 9 as stated in the report.

Response given by Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

The surface will only be replaced when it had reached the end of its life as it was a temporary surface. The £100k has been identified for a permanent replacement of the surface as and when it becomes necessary, the temporary surface was not anticipated to need replacing with a permanent surface for another 24 months hence the £100k in the 5 year forward plan and not for this year.

The consultation received 58 responses in total.

- 64% Positive
- 10% Neutral
- 26% Negative

The consultation consisted of;

- Social Media Communications;
- Dedicated page on the Council website;
- Hand delivered letter to all of the High Street businesses inviting them to comment;
- Email to Epping Town Council to cascade to Town Councillors and Epping Market Stall Holders; and
- Email to Ward Councillors.

The results show a clear majority in favour of retaining the scheme and it should be noted that usually in consultations such as this it was the people who were not happy that tend to respond.

Supplementary question by G Foy to Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

It was easier to state 64% but to be clear it was less than 50% of the people sitting in this room, it was only 37 people that responded to say they wanted it to be permanent. I have asked questions of officers, who wont respond, would you be happy for the Council to spend another £100k and take away 15 parking spaces. I have spoken to many of the independent traders and retailers and none of them are happy with this proposal so its no good saying 64% when the numbers really were 37 out of 8,000 people who live in Epping and the surrounding area. This consultation took place a year ago when people were concerned with social distancing. Mr Foy asked the Councillors that were here tonight to consider whether or not there should be another consultation survey as a result of the pandemic now being over.

Response given by Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

Councillor Philip stated that he was distressed to hear what Mr Foy was saying, he was clearly listening to places that are not reflecting the proper value of the Hight Street. Many of the businesses have been spoken to and are in favour of this scheme and I believe Mr Foy was putting far too much emphasis on what a few people post on social media and on the Everything Epping Forest website, which was certainly not a reliable place of opinion.

It was to replace a temporary surface, it was something that was well welcomed, if Mr Foy wants to go sown into numbers and talk about 37 in favour we then have to look at the 26% of those that were against it, so there were many fewer people against doing the replacement work than there were in favour. However, it was not simply down to looking at the results of a survey, one of the things we were elected to do was to represent our district. I have spoken to my fellow members from Epping Forest, I have spoken to people who actually live and work on the High Street and the vast majority of them are in favour of replacing this temporary surface with a permanent surface, therefore this was clearly something that the Council need to do. There was a temporary surface there and the Council would have to pay to replace it with a permanent surface or remove it. Given that the overwhelming impression was positive that was why it was in the budget as an item. When it came forward to the monies actually being spent decisions would be made in the normal way to spend that money.

65. QUESTIONS BY MEMBERS UNDER NOTICE

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

66. 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) Leader of Council

Councillor C Whitbread advised that he had been busy with a number of meetings in recent weeks with the Leaders of Harlow and Uttlesford to discuss the outcomes of the new Government White Paper on Levelling Up that was published at the beginning of February and to look at areas that EFDC may wish to work together in the future.

He advised he had also had meeting with all of the Essex Leaders last Monday and we continue to speak on a regular basis to partners across the district and county where we were looking to move forward on a range of issues as the year progresses and when the next meeting takes place he advised that he would have more information to pass on to members.

(b) Customer and Partnerships Portfolio Holder

Councillor S Kane stated that he would like to publicly state his thanks to the ICT Team and the Finance Business Team who have concluded a year-long project to get a stable and supportive environment into the corporate finance systems so that the Council can advance on putting some of the enhancements that have been on hold, until this had been completed.

He asked Members' to pass onto residents and businesses in their wards that there were still available some business support grants and although we have now come out of the covid restrictions there were a number of businesses who had suffered and could use these grants, he therefore urged people to apply for a grant where applicable. They were open to micro and small businesses and applications could be made up until the 4 March 2022.

(c) Community and Regulatory Services Portfolio Holder

Councillor A Patel advised that in May 2022 the district would play host to Ride London which was the world's greatest festival of cycling. Saturday 28 May 2022 was stage 1 which was the Women's World tour Ride London Classic. The world's top female athletes will take part with a peloton of twenty teams of six riders.

On Sunday 29 May 2022 Ride London Essex 100 will see twenty five thousand riders take part in a 100 mile challenge ride starting in central London and passing through Essex and returning to finish line on Tower Bridge in central London.

The event organiser was London Marathon Events and EFDC would be working closely with the organisers to ensure the district was able to capitalise on the phenomenal opportunities an event of this magnitude could bring. Ride London was a huge charitable event which raised large sums of money for good causes. In its first seven editions this event raised approximately £80 million for charities. Ride London would be broadcast live on TV and was a wonderful opportunity for EFDC to showcase the Epping Forest District.

Third sector organisations in the district which inspire activity will be eligible for funding from the London Marathon Charitable Trust. During the events time in Surrey from 2013 to 2019 almost £5 million was granted to a wide range of organisations and local communities which would not have had access to this level of funding.

EFDC had a comprehensive activation plan in place with activity ahead of the weekend itself including an expanded cycling for health programme across the district providing Bikeability sessions for local children and family bike rides. Working closely with schools, sharing an education toolkit around physical activity and supporting school children to design flags and banners for the event, holding bunting competitions for the finish line. Through Places for Leisure cycling themed competitions and challenges would take place.

EFDC have reached out to Epping and Ongar Town Councils and will be working closely with them to organise wonderful fan zones. Over the weekend itself there will be stalls, music, arts and crafts, bunting and activities on offer to create a real buzz and to encourage community groups to come along and have a presence over the weekend. The aim for this event was to be bigger and better than the Tour de France.

The promotion of sustainable transport was an important part of the Councils initiative to reduce carbon emissions in the battle against climate change and RideLondon tied in with this brilliantly. Ultimately the publicity will help to boost our local high street economies before the positives that it will bring in terms of jobs and investment.

(d) Finance, Qualis Management and Economic Development Portfolio Holder

Councillor J Philp advised that he would like to follow on with what Councillor Patel was saying around RideLondon, as Members may be aware it was made public last Friday in terms of the route and all of the road closures, which are available to see on the website, if you go to Ridelondon.co.uk you will be able to find all the details of the road closures. Some roads will be closed most of the day and some will be rolling closures. EFDC have had little notice to maximise the upside this year in terms of what we are doing from an economic development point of view, but the Economic Development team were working with the businesses in the district. They have put RideLondon in contact with the Epping Ongar Railway and the first meeting had already taken place. So actually working with the various businesses in the district to maximise the change for that. When the Tour de France came through the district a lot of publicity through TV coverage and it was worth noting that the finish on Saturday 28 May will be in Epping and will be on National TV. It was a great opportunity for businesses to boost their profiles of what was going on in the district.

It was recognised that there would be impacts to businesses and RideLondon have been very clear that they will help to work with those businesses to minimise impact and so as we go through next year's RideLondon we will have much more warning around what we are doing so we can maximise those economic development benefits more significantly.

This was something we should be welcoming, it was a great opportunity for the district, a great opportunity for businesses and to make sure we get the most out of it.

Questions

Councillor S Heap stated his question was to the Planning and Sustainability Portfolio Holder, regarding his report and referred to page 55 of the agenda:

“4 Development Management

Planning Applications

2. Having to regularly explain the process to applicant’s agents, despite clear and consistent messaging from the Project Officer and updating on releasing decisions on the Council website; “

Councillor Heap stated that he could not believe that this was a regular occurrence and would take up a huge amount of time if it was published clearly on the Councils website.

Councillor N Bedford stated that he wasn’t quite sure what point Councillor Heap was trying to make but reading through what was written in the report Officers were having problems with applicant’s agents and were constantly having to explain the process to them. Once an application was submitted there was a time line on that application and the agents were constantly phoning the officers to get updates on such application therefore causing delays on applications as officers have to spend time explaining to the agents where they can find the updated information on the website.

There will be a new process in place at the end of May 2022 which will enable the Planning team to update the data into a programme so that agents and applicants can look at that programme themselves without having to contact officers which will help to streamline the process. Another problem being that applicants nominate an agent to deal with their application and yet they also contact officers for information but because they have nominated an agent the officer could not therefore discuss the application with the applicant, it had to go through the agent.

67. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Chairman thanked Members for giving notification of their intention to ask a question without notice. She informed members that as this was budget meeting she would like to give emphasis to the budget and therefore would allow only 20 minutes for questions.

- (a) Improving the district’s infrastructure

Councillor S Murray advised that his question was to the Leader of Council, Councillor C Whitbread. He stated that he had visited every residence in his ward in the last 10 days and that his question was to the feedback he had received.

What steps could the Leader undertake in the very near future to improve three very poor parts of the district’s infrastructure that were currently badly affecting many local residents:

- The poor state of the pavements making them difficult for many pedestrians to use, particularly the elderly;
- The expensive and infrequent bus service within and between the towns and villages in the district; and

- The almost non-existent provision for cyclists in terms of safer cycling routes and dedicated secure storage facilities in our town centres.

Councillor C Whitbread stated that two of the three statements were County Council issues and with regard to the state of the pavements across the whole County there were different issues with pavements and pot holes. He advised that these issues were reported on a regular basis by himself and other County Councillors, some of which were at the Council meeting. There was over 5,100 miles of roads and pavements across Essex and they have to be properly inspected on a regular basis. The Leader advised that there was a County Councillor that covered Councillor Murray's ward and he should be discussing this issue with him and getting him to put forward reports.

With regards to safer cycling routes this could also be put forward to the County Council but would take a long time as there were limited funds.

Since the pandemic there had been a fall in the usage of buses as there were in many types of public transport and these were just starting to recover. There was the Bus Back Better consultation being carried out at present.

The Leader stated that he was happy to talk to Councillor Murray offline in more detail about the issues he had raised.

(b) Street Lighting in Loughton

Councillor B Jennings advised that his question was to the Leader of Council, Councillor C Whitbread and asked if Councillor Whitbread was aware of the street lighting in Loughton was not working. Since before Christmas last year the street lights in Loughton High Road have been going out one by one and there were now only 18 of the 42 lights that were still working. The lights, which were installed in 2003, are apparently obsolete and cannot be easily replaced by modern LED's. In an article date 7 December 2021 County Councillor Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport, which included street lighting, was reported as saying that replacing these luminaires was a priority but three months on nothing has happened. Last week Councillor Scott was asked for an update, which had been acknowledged but has yet to be answered. Meanwhile if the lights continue to fail the High Road will become darker and darker which was completely unacceptable and the consequences of this lack of action are threefold:

- The impact on road safety, it was becoming extremely difficult for drives to see other road users including cyclists, the ever growing army of moped delivery drivers, drivers getting in and out of their parked vehicles and pedestrians trying to cross the roads. If there were to be an accident the lack of street lighting could be a contributory factor to and insurance company;
- The impact on personal safety, having to walk through the High Road in the dark was worrying for many especially for women on their own; and
- The impact on the night time economy, a gloomy looking High Road does not help the still struggling businesses including the High Roads bars, pubs, gyms restaurants and takeaways to recover from the impact of the pandemic.

The worst affected area and darkest part of the High Road was currently Centric Parade, which was owned by the Council, therefore what can Epping Forest District Council do to help resolve the matter.

Councillor C Whitbread advised that this was the first time he had heard of this particular problem with the street lighting in Loughton High Road. He stated that he would personally take this issue to the County Member, Councillor L Scott and report back.

(c) Trees fallen across roads

Councillor R Brookes stated that her question was to Councillor N Avey who was absent and therefore asked the Leader of Council, Councillor C Whitbread if he would either be able to answer or take it back to Councillor Avey for an answer to follow.

She asked if the Leader was able to clarify the position about who was responsible for dealing with the trees that had fallen across so many roads recently. Essex County Council stated contractor to EFDC and some of the residents in her ward have had some confusing messages.

Councillor C Whitbread stated that last week during the storms over 1,000 trees fell in Essex and Highways did a brilliant job, along with some of the EFDC teams and numerous other people in clearing some of the debris and issues that came from the fallen trees. He advised that he would be happy to take this back to Councillor Avey and asked Councillor Brookes if she could provide him with more details and then it could be established if it was private land and the owners could be contacted. There shouldn't be any trees on the roads now as they had all been removed but there were still some over footpaths.

He added that members should pay tribute to all the people involved in clearing the trees and the debris and thank them for all of their efforts.

(d) Bonus Schemes paid to Qualis Members

Councillor S Heap advised his question was for the Finance and Qualis Client and Economic Development Portfolio Holder, Councillor J Philip and asked how many Members at Qualis were on bonus schemes and what would be the expected total expected this year if targets were met.

Councillor J Philip advised that the bonus scheme had not been approved so there were no people on a bonus scheme, there was funding identified within the Qualis business case to which he didn't have any details with him. He stated that there would be a bonus scheme when Qualis started delivering against their business plans and making significant profits. It was not unreasonable for a private company to have a bonus scheme and the key point there was to make sure that any bonus scheme was in place was not simply for those at the top of the pyramid but would affect all of the employees within that group.

(e) Front gardens and vegetation being paved over

Councillor J H Whitehouse advised that her question was to the Planning and Sustainability Portfolio Holder, Councillor N Bedford. She stated that the Council were planting hundreds of trees but at the same time, residents were taking up their front gardens and vegetation and fully paving the space. She advised that at an earlier Council meeting she did raise this issue with Councillor Bedford and asked if the Council would consider raising an awareness campaign and wondered if that was progressing at all as she hadn't seen anything about it. Would the Council be able to provide a leaflet for residents explaining the importance of this whereby the tree

wardens and local members could post through letterboxes when works were seen to be beginning in a front garden in time for the resident to think again about having some tree planting.

Councillor Bedford advised that this was more for the Parish and Town Councils. He did discuss this with officers and had two simple answers:

- To consider the awareness campaign - everybody should be aware of the need for trees at present and if people were that way inclined they would go out and buy them. There was a policy in place to cover the amount of driveway that could be covered and people were being encouraged to keep part of the driveway clear for vegetation; and
 - Leaflets – there would be no paper leaflets produced as the Council were moving away from printing and supplying leaflets.
- (f) Sustainable electric bus service between Debden Station and the Epping Forest Shopping Park

Councillor Chris Pond advised that his question was also for Councillor Avey and he would therefore direct it to the Leader. He advised that an electric bus was promised as a sustainable bus service between Debden Station and the Epping Forest Shopping Park and asked when this was going to be provided.

Councillor C Whitbread advised that he would speak to Councillor Avey and get back to Councillor Pond with an answer.

68. MOTIONS

The Chairman reported that there were no motions to be considered at the meeting.

69. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW 2022/23

The Chairman of the Remuneration Panel, Mr S Lye presented a report following the annual review of the Epping Forest District Members' Allowances Scheme, which set out the Panels conclusions and recommendations with regard to the application of members' allowances for the 2022/23 municipal year.

Report as first moved **ADOPTED**

RESOLVED:

Basic Allowance

(1) That, for the 2022/23 municipal year, no change be made to the level of Basic Allowance of £4,300 per member per annum, currently included in the Council's Members' Allowances Scheme;

(2) That for 2023/24 and future municipal years, the Council be encouraged to increase the Basic Allowance to bring the Council up to the level of the Basic Allowance paid by other Councils;

Special Responsibility Allowance

(3) That for the 2022/23 municipal year, no changes be made to the level of the Special Responsibility Allowances currently included in the Members' Allowances Scheme;

(4) That for the 2022/23 municipal year, the implementation level of Special Responsibility Allowance applied to the responsibilities identified in the Members' Allowances Scheme be unchanged

Revised Scheme and Guidance

(5) That, subject to the above recommendations and other matters set out in this report, the Members' Allowances Scheme and Guidance for 2022/23, attached at Appendix 2 to this report, be adopted and implemented with effect from 26 May 2022; and

(6) That the Panel continue to be kept apprised of the Council's intentions regarding any future restructure or governance review proposals arising from the electoral review of the Council being undertaken by the Local Government Boundary Commission for England that directly affect the application of Special Responsibility Allowance for the specific member roles and responsibilities currently reflected in the Members' Allowances Scheme.

70. COUNCIL BUDGET 2022/23

Mover: Councillor J Philip, Finance, Qualis Client and Economic Development Portfolio Holder

Councillor J Philip presented a report of the Budget for 2022/23 (including Medium-Term Financial Plan, Capital Programme and Fees and Charges). He thanked Mr A Small, Strategic Director and S151 Officer and Mr C Hartgrove, Interim Chief Financial Officer for an excellent budget and for their sound financial advice. He also thanked members of the Audit and Governance Committee.

There voted for the recommendations (40) namely: Councillors R Balcombe, R Bassett, N Bedford, P Bhanot, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Heather, B Jennings, J Jennings, J Jogia, S Jones, H Kane, S Kane, P Keska, J Lea, A Lion, T Matthews, C McCredie, J Mclvor, R Morgan, S Murray, S Neville, C Nweke, M Owen, A Patel, J Philip, S Rackham, B Rolfe, M Sartin, J Share-Bernia, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, and K Williamson.

There voted against the recommendations (2) namely: Councillors J H Whitehouse and J M Whitehouse.

Abstentions (0).

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the draft General Fund Revenue and Housing Revenue Account budgets for 2022/23 as presented in *Attachment 1a*, be approved (pages 91-112 of the agenda).
- (2) That the draft General Fund and Housing Revenue Account Capital programmes for 2022/23 to 2026/27 presented in *Attachment 1b*, be approved (pages 113-124 of the agenda).

- (3) That the proposed Fees and Charges for 2022/23, including an average rent increase of 4.1% on Council Dwellings, presented in *Attachment 1c*, be approved (pages 125-141 of the agenda).
- (4) That the updated General Fund Medium-Term Financial Plan for 2022/23 to 2026/27 presented in *Attachment 1d*, be approved (pages 143-150 of the agenda).
- (5) That the Section 151 Officer's report – in accordance with Section 25 of the Local Government Act 2003 – on the robustness of the estimates for the purposes of the Council's 2022/23 budgets and the adequacy of the reserves, presented in *Attachment 2*, be noted (pages 151-156 of the agenda).
- (6) That the Section 151 Officer's recommendation to maintain a minimum £4.0 million contingency balance in the Council's General Fund Reserve in the medium-term, including a contribution to the Reserve as part of the General Fund revenue budget proposals for 2022/23, be approved.
- (7) That the Treasury Management Outturn report 2020/21 considered by the Audit & Governance Committee on 22nd November 2021, presented in *Attachment 3*, be noted (pages 157-173 of the agenda).
- (8) That the Treasury Management Mid-Year Update report 2021/22 considered by the Audit & Governance Committee on 22nd November 2021, presented in *Attachment 4*, be noted (pages 175-186 of the agenda).
- (9) That the draft Treasury Management Strategy 2022/23 considered by the Audit & Governance Committee on 17th January 2022 and recommended for Council approval, presented in *Attachments 5a*, be approved (pages 191-205 of the agenda).
- (10) That the draft Capital Strategy 2022/23 to 2026/27, considered by the Audit & Governance Committee on 17th January 2022, presented in *Attachment 6*, be approved (pages 207-229 of the agenda); and
- (11) That the Constitution Working Group be asked to consider whether the Audit & Governance Committee's terms of reference should be formally expanded to incorporate responsibility for considering, and recommending for approval, the Council's Capital Strategy.

71. LOCAL COUNCIL TAX SUPPORT SCHEME 2022/23

Mover: Councillor S Kane, Customer and Partnerships Portfolio Holder

Councillor S Kane submitted a report regarding the Local Council Tax Support Scheme for 2022/23, which remained unchanged from 2021/22.

Report as first moved **ADOPTED**

RESOLVED:

That the Local Council Tax Support Scheme 2022/23 be approved.

72. COUNCIL TAX SETTING 2022/23**Mover: Councillor J Philip, Finance Qualis Client and Economic Development Portfolio Holder**

Councillor J Philip presented a report regarding the Council Tax Setting 2022/23. He advised that a supplementary agenda had been published due to a slight discrepancy in the precepts for Theydon Garnon Parish, therefore Appendix B and Appendix C referred to in the main agenda on pages 239 and 240 should be replaced with those published in the supplementary agenda.

He advised that the Cabinet had recommended a District Council Tax increase based on Band D properties of £5.00 a year which equated to less than 2 pence a day. The report also included the Town and Parish precepts and the Essex precepts for the Essex County Council, Essex Police and Crime Commissioner and Essex County Fire and Rescue Service.

Report as first moved **ADOPTED**

RESOLVED:

- (1) To note that under delegated authority, the Strategic Director and Section 151 Officer, had calculated the Council Tax Base for 2022/23 for the whole Council area as 54,865.3 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended) and for dwellings in those parts of its area to which a Parish Precept relates as set out in Appendix A (attached to the agenda).
- (2) That the following amounts be calculated for the year 2022/23 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:
 - (a) £111,981,897 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
 - (b) £99,455,621 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - (c) £12,526,276 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
 - (d) £228.31 being the amount at 2(c) above (Item R), all divided by Item T (the amount at (1) above, the tax base), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - (e) £3,887,186 being the aggregate amount of all special items (Parish Precepts) referred to in Section 34(1) of the Act;
 - (f) £157.46 being the amount at 2(c) above less the result given by dividing the amount at 2 (e) above by Item T (1) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;

- (g) That it be noted that Essex County Council, Essex Police, Fire & Crime Commissioner and Essex Fire & Rescue Service have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the category of dwellings in the Council's area;
- (h) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in Appendix C as the amounts of Council Tax for 2022/23 for each part of its area and for each of the categories of dwellings; and
- (i) That in accordance with section 52ZB of the Local Government Finance Act 1992, the Council determines that the amount of Council Tax shown at 2 (f) of £157.46 for 2022/23, representing an increase of £5.00 compared to 2021/22 was not excessive and therefore there was no requirement to hold a local referendum.

73. LOCAL GOVERNMENT COUNCIL SIZE AND WARD BOUNDARY REVIEW

Mover: Councillor C Whitbread, Leader of the Council.

Councillor C Whitbread advised that this was the first time in 22 years since a full Boundary Review of the Epping Forest District had taken place. He stated that the next stage of the review was starting to progress and Members would have to decide on the number that they would like to put forward. He stated that all groups had worked well together to get to this juncture and thought that the number suggested was probably too high as the Boundary Commission were looking for us to reduce our numbers maybe more than we are suggesting. Members decided at the previous Full Council that they wanted to continue with the approach that was currently in place for elections at this Council and in an ideal world there needed to be 3 seat wards to meet the requirements but we can make arguments in cases where it would not geographically work.

He reiterated that Members had elected to go for a small reduction from 58 down to 54, which was divisible by 3. When we come to the next stage and start looking at the ward maps we need to take into account growth and changes in areas over time.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the draft submission on a future Council Size of 54 Members, attached to the agenda at Appendix A, be agreed for submission to the Local Government Boundary Commission for England as part of the ongoing review of the Council's size and ward boundaries.

74. PAY POLICY STATEMENT 2022/23

Mover: Councillor D Sunger, Corporate Services Portfolio Holder

Councillor D Sunger presented a report regarding the Council's Pay Policy Statement for 2022/23, which was required by Section 38 (1) of the Localism Act 2011 and set out details of the Council's current practices and policies. This specifically included the Council's approach to its highest and lowest paid employees.

Report as first moved **ADOPTED**

RESOLVED:

That the Council's Pay Policy Statement for 2022/23 attached as an appendix to these minutes, be adopted.

75. QUALIS QUARTERLY MONITORING REPORT Q4 2020/21 AND Q1 2021/22

Mover: Councillor J Philip, Finance and Economic Development Portfolio Holder

Councillor J Philip introduced the Qualis Quarterly Monitoring Report for Q4 2020/21 and the Quarterly Monitoring Report for Q1 2021/22.

He advised that the Governance framework for Qualis, as agreed by Cabinet in February 2020, included the requirement that Qualis should report to Epping Forest District Council on its performance Quarterly.

The report presented the fourth Quarter's monitoring report for the Qualis trading year 2020/21 and covered the period from 1 October 2020 to 30 September 2021. The Quarter 1 position covered 1 October 2021 to 31 December 2021 was also provided as part of this reporting.

Cabinet received the same report at their meeting on 7 February 2022 and the report was debated in great detail.

Councillor J Philip stated that there were two monitoring reports and the headlines were that they are primarily in line with the expectations of Qualis. Planning permission had now been granted for the five sites in Epping which had allowed the expenses to move from the profit and loss account into work in progress. He highlighted that there were some recommendations from the Qualis Auditors at the end of the auditing of their last years accounts and those recommendations were being implemented. He advised that he met with the Managing Director of Qualis on a weekly basis and made sure that proper rigour was applied.

Report as first moved **ADOPTED**

RESOLVED:

(1) That the Qualis Quarterly Monitoring Report - Q4 2019/20 (Outturn) be agreed.

76. CALENDAR OF COUNCIL MEETINGS 2022/23

Mover: Councillor S Kane, Customer and Partnerships Portfolio Holder

Councillor S Kane submitted a report regarding the Calendar of Council meetings for 2022/23. He asked Members to agree to one alteration in that Annual Council be moved from Tuesday 23 May 2023 to Thursday 25 May 2023.

Report as first moved **ADOPTED**

RESOLVED:

That subject to Annual Council being moved from Tuesday 23 May 2023 to Thursday 25 May 2023, the draft Calendar of Council Meetings for 2022/23, as attached, be adopted.

77. OVERVIEW AND SCRUTINY COMMITTEE

The Council received a written report from Councillor M Sartin, Chairman of the Overview and Scrutiny Committee which was noted.

78. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

The Chairman directed Members to the second Council supplementary agenda and the business contained therein.

(a) Grange Farm Trust Vacancy

Councillor C Whitbread stated that the report noted the retirement of Parish Councillor B Scrutton from the Grange Farm Trust and he would like to nominate Chigwell Parish Councillor Rashni Holden as his replacement. Normally appointments would be made at Annual Council but the Grange Farm Trust had requested this appointment sooner so that they could carry on with their work.

RESOLVED:

That Parish Councillor Rashni Holden be appointed to the vacant position representing Epping Forest District Council as a Managing Trustee for the Grange Farm Trust.

(b) The Royal Gunpowder Mills

The Chairman advised that her report was as and hoped Members found it an interesting read.

(c) Requests for Updates

Councillor Janet Whitehouse requested a report from the Partnership Governor of the Princess Alexander Hospital to be brought to the next meeting. She thanked the Chairman for regularly bringing a report on the Royal Gunpowder Mills to Council.

She also requested that any Members who had not brought a report forward this municipal year would do at the next meeting. If they were representing the Council on bodies then Members really ought to know what was happening.

Councillor S Murray requested a report from Councillor R Bassett, as the Councils representative on the Epping Forest Campus of the new college and to report on two items:

- (i) What the final capital receipt was that the college authorities have received for the whole of the site of the former Epping Forest High School or Lucton Boys/Girls School before that; and
- (ii) How that capital receipt had been spent and how much was spent on the Epping Forest Campus and didn't make its way to Hackney, Redbridge, Havering or London.

Councillor Bassett asked if Councillor Murray could send him an email detailing his queries and he would take it up with the Principle at a meeting they had in the morning.

CHAIRMAN

EPPING FOREST DISTRICT COUNCIL

PAY POLICY STATEMENT 2022/23

Introduction

Epping Forest District Council is located adjacent to three outer London boroughs and on the Central Line into the City of London. Residents have easy access to major motorway routes as both the M11 and M25 run through the district. There is a high incidence of commuting from the district which impacts on the local labour market and levels of pay, particularly for jobs that require skills that are in relatively short supply.

There are some long standing recruitment difficulties and retention issues in key skill areas and the Council is making every effort to manage skill shortages with apprenticeships, including higher level apprenticeships, introducing a new recruitment strategy and streamlined processes, working with Public Practice to encourage planners, designers working in the private sector to work in the public sector.

The situation is not static and is capable of changing very rapidly, but the Council continually considers steps regarding pay and allowances that are designed to assist with recruitment and retention.

This Statement reflects the Council's current pay, pension and leave policies and strategies which will be amended over time to deal with changing circumstances. These documents play an important role in attracting and retaining the best people to the Council.

All decisions on pay and reward for Chief Officers will comply with the Council's current Pay Policy Statement.

Legislation

Section 38 (1) of the Localism Act 2011 requires English and Welsh Councils to produce a Pay Policy Statement for 2012/2013 and for each financial year thereafter.

The Council's Pay Policy Statement;

- Must be approved formally by the Council;
- Must be approved each year;
- May be amended during the course of the financial year; and
- Must be published on the Council's website.

The Pay Policy Statement must include;

- The level and elements of remuneration for each of the Chief Officers;
- The remuneration of its lowest paid employees (together with its definition of 'lowest paid employees' and the Council's reasons for adopting that definition);
- The relationship between the remuneration of its Chief Officers and other Officers; and
- Other aspects of Chief Officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

Remuneration is defined widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases/enhancements of pension entitlements and termination payments.

All salaries and calculations are based on full time equivalent (fte).

Publication of the Pay Policy Statement

The Policy has been made available on the Council's website.

Effect of this Policy Statement

Nothing in this Policy Statement enables unilateral changes to employee's terms and conditions. Changes to terms and conditions of employment must follow consultation and negotiation with individuals and recognised trade unions as set out in other agreements and in line with legislation. At the time of approving of this Statement by full Council, a consultation process to change pay and allowances arrangements is ongoing.

Pay Arrangements

During 2018/19 negotiations took place with the recognised trade unions to move pay away from National Conditions to local arrangements.

The outcome of these negotiations resulted in a Collective Agreement and local pay arrangements were implemented with effect from 1 October 2019. The local pay scales can be found at Appendix 1 (pay is at 1 April 2020). At this point, Inner Fringe London Allowance was incorporated into salary scales, and no longer forms part of separate pay bargaining.

Grades no longer contain incremental points, and employees are paid at a spot salary within the grade range. Incremental progression, therefore, no longer applies but progression within grade can be applied in accordance with pay policy. Placement within the respective Grade Zones is also in accordance with pay policy.

Grades for roles will continue to be determined by the NJC Job Evaluation Scheme implemented through our Job Family Framework.

Pay Awards

For the future, Epping Forest salary ranges will be benchmarked against the Public & Not for Profit Market, and NJC pay awards will no longer apply, although the Council has agreed that annual pay awards will be no less than the NJC Award.

The Council will consider pay awards annually, and any award agreed will be applied at 1 April.

Remuneration of Chief Officers

The Council will not agree any pay arrangement which does not reflect the correct employment and/or tax/NI status of a Chief Officer or employee.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking. At Epping, Chief Officers are determined as the Chief Executive, Strategic Directors and Chief Operating Officer.

Chief Executive

The Chief Executive is paid a spot salary of £146,000 which includes compensation for all other allowances that might normally apply (i.e. evening meeting payments). The Chief Executive may also benefit from a performance payment of up to £5,000 (non-consolidated) if targets and objectives, set by the Leader of the Council and Chair of the Overview and Scrutiny and Committee, together with an independent facilitator, are met. ~~For future years, any performance payment will be unconsolidated unless a further review of base salary is undertaken.~~

The Chief Executive is also the Council's Head of Paid Service and the Returning Officer (for which additional fees are paid).

Strategic Directors

In January 2020, Cabinet agreed a new organisation structure which permanently established 2 Strategic Director roles and a role of Chief Operating Officer, all at a spot salary of £116,725 together with the opportunity of flexibility of benefits. One Strategic Director is currently seconded to Qualis.

Termination Payments

On ceasing to be employed by the Council, individuals will only receive compensation:

- in circumstances that are relevant (e.g. redundancy), and
- in accordance with our published Pension Policy on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or that complies with the specific term(s) of a compromise agreement.

All employees with contracts of 3 months or more are automatically enrolled into the Local Government Pension Scheme (LGPS), which is administered by Essex County Council. Payments on grounds of Redundancy are covered by the Council's Redundancy and Efficiency Payments Policy.

All employees are treated in the same way with regard to the calculation of severance payments in situations of redundancy.

Statutory Roles

The statutory roles of Monitoring Officer and 'Section 151' Officer will be carried out by the Head of Legal and the Strategic Director. These positions do not need to be held by Chief Officers. The Monitoring Officer role will receive an additional £5,000 supplement for these statutory responsibilities. The 'Section 151' Officer has this in their base salary.

Definition of Lowest Paid Employees

For the purpose of this Policy Statement, employees on grade A are defined as our lowest-paid employees.

At 1 April 2021, the fte annual value of the minimum of the Growth Zone of Grade A was £19,021.

The exceptions to the lowest grade are Apprentices who are paid £160 per week. When apprentices move into year 2 of their placement, they receive the minimum wage for their age.

Pay Multiples

The Hutton Review raised concerns about multiples in the order of 20 or higher between the lowest and the highest paid employees in local authorities. However the Interim Report noted that the most top to bottom pay multiples in the public sector are in the region of 8:1 to 12:1. The Council is therefore content that having due regard for the level of responsibilities and personal accountability between the lowest and highest paid roles, the current multiple of 7.6 seems to be both justifiable and equitable.

The council does not set the remuneration of any individual or group of posts by reference to a multiple. However, as suggested by the Hutton Review the Council will monitor multiples over time to ensure they are appropriate and fair and will explain significant changes in pay multiples. The multiples are as following;

| Role | 2021/2022 | |
|---|-----------|----------|
| | Multiple | Salary |
| Chief Executive compared to lowest salary | x 7.6 | £146,000 |
| Strategic Directors compared to lowest salary | x 6.1 | £116,725 |
| Average salary compared to Chief Executive | x 3.9 | £36,883 |
| Average salary compared to lowest salary | x 1.9 | £36,883 |

- The average salary is based on fte and has not been pro-rata'd for part-time employees
- The lowest fte salary in the Council is £19,021 in 2021/2022

Other Payments

Market Supplements may be paid in accordance with the Council's Policy for Payment of Market Supplements (although where necessary to secure or retain the employment of essential staff, other means may be applied to achieve the same outcome).

Honorarium or ex-gratia payments will be paid in accordance with our Additional Payments Policy.

The Council does not currently apply performance related pay or bonuses (except for in the case of the Chief Executive), but this may change generally at a future date, and may be applied as part of a personal contract of employment if required to secure the employment

and retention of essential employees. Under local pay arrangements, the Council may consider the award of a Council wide or Team bonus at any point paid, on the basis of agreed targets/outputs. Such bonus will take the form of an unconsolidated payment and will not affect substantive pay.

These policies are applied consistently to all employees.

APPENDIX 1

| Grade | Growth Zone £ | Salary for Role £ | Exception Zone £ |
|-------|------------------|----------------------|---------------------|
| A | 19021 – 19430 | 19530 | 19630 – 19694 |
| B | 19794 – 20291 | 20391 | 20491 – 20809 |
| C | 20909 – 22011 | 22111 | 22211 – 22636 |
| D | 22736 – 24801 | 24901 | 25101 – 25986 |
| E | 26086 – 28737 | 28837 | 28937 – 30046 |
| F | 30146 – 32883 | 32983 | 33083 – 33903 |
| G | 34003 – 37863 | 37963 | 38063 – 38978 |
| H | 39078 – 42974 | 43074 | 43174 - 44154 |
| I | 44254 - 48188 | 48288 | 48388 - 50955 |
| J | 51055 - 55176 | 55276 | 55376 - 58263 |
| K | 58363 - 62085 | 62185 | 62285 - 63945 |

| Committee | May | June | July | August | Septeml | Octobe | Novemt | Decemt | January | Februar | March | April | May |
|--|-----|-------|-------|--------|---------|--------|--------|--------|---------|---------|-------|-------|-----|
| Appointments Panel | | 17 | | | | | | | | | | | 16 |
| Council | 26 | | 28 | | | 11 | | 13 | | 28 | | 4 | 25 |
| Constitution Working Group | | 30 | | | | | 1 | | | 2 | | | |
| Audit & Governance Committee | | 27 | | | 29 | | 28 | | | 13 | 20 | | |
| Cabinet (9) | | 6 | 18 | | 19 | 17 | 7 | 5 | | 6 | 13 | 6 | |
| Local Plan Cabinet Committee (4) | | | 4 | | | 31 | | | 30 | | 27 | | |
| Council Housebuilding Cabinet Committee (4) | | 20 | | | 12 | | | 12 | | | | 3 | |
| Overview & Scrutiny Committee | | 16 | 26 | | 27 | | 29 | | 31 | | 28 | | |
| Stronger Communities Select Committee (5) | | | 12 | | 20 | | 15 | | 17 | | 2, 21 | | |
| Stronger Council Select Committee | | | 21 | | 1 | 25 | 24 | | 24 | 21 | | 18 | |
| Stronger Place Select Committee (4) | | | 5 | | 13 | | 8 | | 16 | | 7 | | |
| Joint Consultative Committee | | 14 | | | | 6 | | | 26 | | | 13 | |
| Joint Meeting of Development Management Chairmen & Vice-Chairmen | | | | | 15 | | | | | 14 | | | |
| Joint Meeting of Overview & Scrutiny Chairmen & Vice-Chairmen | | 28 | | | | | | 6 | | | | | |
| Licensing Committee | | | | | | 19 | | | | | 22 | | |
| Licensing Sub Committee | | 7, 21 | 5, 19 | 2, 16 | 6, 20 | 4, 25 | 8, 22 | 6, 20 | 17 | 7,21 | 7, 21 | 4, 18 | |
| District Development Management Committee | | 29 | | 24 | 21 | | 16 | | 18 | | 15 | | |
| Area Planning Sub-Committee East | 11 | 15 | 13 | 10 | 7 | 5 | 2, 30 | | 4 | 1 | 1 | 5 | |
| Area Planning Sub-Committee South | | 8 | 6 | 3,31 | 28 | 26 | 23 | 21 | 25 | 22 | 29 | 26 | |
| Area Planning Sub-Committee West | 18 | 22 | 20 | 17 | 14 | 12 | 9 | 7 | 11 | 8 | 8 | 12 | 17 |
| Local Councils' Liaison Committee (2) | | | | | 26 | | | | | 20 | | | |
| Bank Holiday | | 2 | 2,3 | | 29 | | | | 2 | | | 7, 10 | 1 |
| Election | | 5 | | | | | | | | | | | 4 |

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

| | | | |
|--------------------------------------|--|--------------|-----------------------|
| Committee: | Council | Date: | Tuesday, 5 April 2022 |
| Place: | Council Chamber - Civic Offices | Time: | 7.00 - 8.00 pm |
| Members Present: | H Kane (Chairman), N Avey, R Balcombe, N Bedford, P Bolton, H Brady, R Brookes, L Burrows, D Dorrell, I Hadley, S Heap, S Kane, P Keska, J Lea, J Leppert, A Lion, J McIvor, R Morgan, S Murray, M Owen, A Patel, J Philip, Caroline Pond, C C Pond, K Rizvi, M Sartin, P Stalker, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse, K Williamson and D Wixley | | |
| Members Present (Virtually): | R Baldwin, P Bhanot, S Heather, R Jennings, J Jennings, H Kauffman, C McCredie, L Mead and D Plummer | | |
| Apologies: | J Share-Bernia, R Bassett, J Jogia, S Jones, S Neville, S Rackham, C Roberts and B Rolfe | | |
| Officers Present: | Andrew Small (Strategic Director Corporate and 151 Officer), Gary Woodhall (Team Manager - Democratic & Electoral Services), Jackie Leither (Democratic Services Officer) and Steven Mitchell (PR Website Editor) | | |
| Officers Present (Virtually): | Adrian Hendry (Democratic Services Officer) | | |

80. 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.

81. DECLARATIONS OF INTEREST

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

82. APPOINTMENT OF VICE-CHAIRMAN

In the absence of the Vice-Chairman, who had tendered her apologies, it was proposed that Councillor M Sartin be Vice-Chairman for the duration of the meeting.

RESOLVED:

That Members agreed that Councillor M Sartin would assume the role of Vice-Chairman for the duration of the meeting.

83. ANNOUNCEMENTS

(a) Arrangements for the Local Elections Count

The Democratic and Electoral Services Manager advised Members of the arrangements for the Local Elections Count, he stated that this information was also in the Council Bulletin this week.

The count for this year's Local Elections will be held on the night of Thursday 5 May at the Civic Offices in the Conference Suite and the Café Area for the 13 Count Teams. The Corporate Communications Team and televisions will be based in the Community Hub and there will also be a coffee station. There will be a walkway around the outside of the area where the Count Teams are but we would ask you to refrain from entering the Count Hall until either your ward or a ward for which you are an agent was being counted. Further information regarding the Count will be relayed to you with your entry tickets.

(b) Chairman's Announcements

(i) Civic Awards

The Chairman advised that the Civic Awards was a great success and that she set out to achieve two things, firstly that the Civic Offices could be used for hosting events and functions and secondly to welcome the community. I would like to extend my thanks to the officers and staff who made this event a reality, there were many positive comments made about the success of this event.

(ii) Flowers

The Chairman announced that she intended that the flowers from this evening's meeting to go to the reception area in the Civic Offices to be enjoyed by all of the staff and visitors.

84. PUBLIC QUESTIONS (IF ANY)

Question by Mr M Searle, resident of Waltham Abbey to Councillor N Avey, Environment and Technical Services Portfolio Holder

I would like to bring to the attention of the Council that an unknown number of manholes situated on public land in Waltham Abbey are not being inspected or maintained by anyone.

Thames Water, Essex County Council (Highways) and Epping Forest District Council have all stated that it is not their responsibility to inspect and maintain these manholes.

This is a real problem because a number are damaged and hazardous and have been for some time. It's insufficient for the council to say action will be taken once it's made aware of a problem, because by then somebody may have already been injured, as demonstrated when a grandmother out walking her dogs suffered severe leg injuries after falling down one of these neglected and defective manholes.

Councillor Steve Heather, who was contacted last July regarding this matter, stated, after receiving photographic and video evidence of damaged manholes, that "this is a very serious ongoing problem" and "they are death traps in waiting".

Somebody needs to take responsibility because I'm sure nobody disagrees that the health and safety of everyone in Waltham Abbey is paramount and that some system of inspection and maintenance should be in place to prevent further accidents occurring.

Will the council please be proactive rather than reactive and endeavour to find a solution to this very serious issue?

Response given by Councillor N Avey Environmental and Technical Services Portfolio Holder

Manholes can be owned by several different companies on both private and public land, Thames Water, Essex Highways or even BT/utilities. It is not a function of EFDC to inspect the statutory sewerage undertakers' assets, Thames Water are responsible for their assets and Essex Highways are responsible for the safety of the highway as the Highway Authority, highway rights take precedent over ownership in most instances.

The majority of non-highway adopted "public land" areas in Waltham Abbey tend to (but not exclusively) fall within Housings overall estate management responsibilities and are working towards an inspection regime including manhole covers once a year. If locations of defective covers can be provided, responsibility for them can be investigated and the appropriate agency informed.

The graphic below from Thames Water's website shows where property owners would be responsible for drainage systems for context.

Thames info: <https://www.thameswater.co.uk/help/emergencies/manhole-covers>

The Essex Highways reporting tool takes you directly to the relevant companies website to report it:
www.essexhighways.org/tell-us

If you know the postcode you can find out who supplies the water and sewerage to the area by the website: www.water.org.uk

85. QUESTIONS BY MEMBERS UNDER NOTICE

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

86. 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) Leader of Council

Councillor C Whitbread congratulated the Chairman of Council for hosting the Civic Awards in the Civic Offices and added that it was a great demonstration of the versatility of the Civic Offices building.

Other uses recently were the Ukrainian collection hub, the opening of the Regis Company on the top floor and the actual use of the hub by Officers and Members. He stated that the hub had become a very versatile and useful space for the district as a whole.

He advised he had been invited to the opening of Regis and thought the mix of people using the office space would bring more life back into the High Street.

He stated over the last few weeks that he had been meeting other Leaders from Harlow, Broxbourne and East Herts some of the meetings were to do with the Harlow Garden Town project and how that was progressing, but also to look at opportunities for the future. He advised that he was looking to maximise opportunities with other nearby authorities to drive further benefits to the residents of Epping Forest.

He reported that he had recently been able to get out and about to other parts of the district, he had met with Councillor Keska on Sunday at the Ongar Farmers Market which was run by the Ongar Forum, one of the most successful business groupings locally and to have discussions around what was going on in Ongar, he stated that it was great to be able to get out and about again visiting different communities.

Questions to the Portfolio Holders regarding their reports

Councillor Chris Pond advised his question was to Councillor S Kane and referred to his report on pages 15 and 17 of the agenda and stated that he agreed that the car park tariffs needed revising but what he and his constituents didn't find acceptable was the change of time for charging in Traps Hill Car Park in Loughton where charging now starts at 8am. A special arrangement was entered into with Councillor Waller when he was the Portfolio Holder to enable Traps Hill car park to be used as a starting point for the Staples Road School walking bus which took place in the morning at around 8.30 to 9am. Also many users of the leisure centre, in EFDC's own facility are also aggrieved at the bringing forward of the time. Therefore would Councillor Kane reconsider this start time for the charging regime as it does seem to have been done without any consultation.

Councillor S Kane advised that he had also received emails from constituents and it was very unfortunate that this was not picked up at the Stronger Place Select Committee or Cabinet as there was quite clearly an approach to standardise the hours of operation. This can be reviewed, particularly in mind of the walking bus to which I wasn't aware of, he stated that he had to be very careful because making exceptions for one car park opens the gates for making exceptions to others. He advised that he would take this under review and respond to Councillor Pond at a later date.

Councillor A Lion referred to Councillor Patel's report on Limes Farm and stated that he regularly attended the Community Café and also participated in the tree planting sessions where 500 trees were planted. He added that he applauded Councillor Patel and the Council for their active engagement on Limes Farm and the support that was being given to the residents.

Councillor Jon Whitehouse stated that his question was to Councillor Avey relating to electric car charging points and I note that new ones were recently introduced at Oakwood Hill. There were at least two car parks in Loughton with electric charging points but the situation wasn't the same in other parts of the district. Therefore was there an update for the programme to roll out charging points in other parts of the district and in particular was there any updates on discussions with the County Council about on-street charging as many residents did not have drives and need access to on-street charging.

Councillor Avey thanked Councillor Whitehouse for his question and stated that he did not have details of the information to hand and he would report back with further updates. He further added that it was important that the electric charging sites were rolled out as quickly as possible all over the district. He stated that Tesco in Epping

were installing electric charging points so he hoped that both in the public and private realm there will be some coverage across the district.

Councillor J Philip asked the Chairman to clarify which items were these questions being asked under, questions directly on the reports or on Agenda item 8, Questions by members without notice.

The Chairman replied that these were questions pertaining to the Portfolio Holder reports.

87. QUESTIONS BY MEMBERS WITHOUT NOTICE

The Chairman thanked Members for giving notification of their intention to ask a question without notice.

(a) Grant Aid

Councillor Murray advised his question was to the Community and Regulatory Services Portfolio Holder and stated that it was to do with a press release issued on the 21 March regarding Grant Aid. Councillor Patel said in that press release that he was delighted to approve 30 applications totalling £85,000 of Grant Aid and the Council recognised the significant impact that our amazing local community and voluntary sector groups who in turn supported the positive well health and wellbeing of our residents. He asked why did Councillor Patel feel able to put forward and be part of a leadership party, that the budget papers for 2022/23 which consisted of 147 pages and tucked away on page 105 there was one line in the budget that showed the grants to voluntary organisation in the new financial year had been cut by over 50%. I thought it was important, after the fine words Councillor Patel had said for this year, and wanted to know why was he able to go along with the budget and a 50% cut for the next municipal year. Councillor Murray stated that he could find no explanation or notification of this cut so why Councillor Patel, as the Portfolio Holder would accept that cut.

The Chairman asked Councillor J Philip to answer this question as it was to do with finance and the Council budget which fell into his remit.

Councillor J Philip thanked Councillor Murray for his question and stated that there was a fixed pot of money for 2022/23 to spend, there were difficult choices to be made with the grant aid and the frontline services we provide and if more money was put into the grant aid then some services would have to be cut. The budget papers went to Cabinet where it was debated and no objections were made to the grant aid being cut. Councillor Philip stated that he did not want to cut any of the Council frontline services and as he had said at Cabinet the next financial year would be a very tough year for the Council. Council Philip stressed that the Council was aiming to come in under budget and if so that meant that the Council could be more generous with the Grant Aid in the 2023/24 financial year.

Councillor S Murray thanked Councillor Philip for his answer but stated that his question was quite specific to which Portfolio Holder he asked his question to and stated that he had great respect for the Chairman but didn't think it was up to her or the Cabinet to decide who would answer his question and he would like the Portfolio Holder in line with his press release to answer his question.

Councillor J Philip stated that Councillor Murray asked a question regarding the budget and advised that it was brought forward as a Cabinet, there were trade-offs within it but the Cabinet had a corporate responsibility when they brought the budget

forward. He advised that the budget came under his portfolio and he was responsible for balancing it out.

Councillor S Murray asked once more was the Portfolio Holder he asked saying he was unprepared to answer the question or was he happy for the answer that the Finance Portfolio Holder gave.

Councillor A Patel advised that as it had already been stated by Councillor Philip it was a budget related question and that Councillor Philip had given a full and comprehensive answer to the question.

(b) Places Leisure Centre Loughton

Councillor R Brookes advised that her question was to the Environmental and Technical Services Portfolio Holder, Councillor N Avey and stated that it had been a substantial increase in the fees for leisure centre members, which had been held back for two years, but what had affected many of the residents was yet again adult lane swimming was much more reduced for the Easter holiday period and I wondered if you would investigate and talk to places leisure about it.

Councillor N Avey advised that he would be happy to take that up with officers and Places Leisure.

(c) Highway Rangers

Councillor P Stalker advised that his question was to the Environmental and Technical Services Portfolio Holder, Councillor N Avey and stated that he had recently received some very positive feedback from residents regarding the Highway Rangers and asked for an update on the current activities and status of the Highway Rangers.

Councillor N Avey stated that the Highway Rangers continued to be a very successful initiative and as noted in his report the Highway Rangers have taken a number of recent projects including district wide roadside cleaning and repair, assisting with the removal of trees on the highways during the recent storms and providing traffic management for other teams. A new full time Ranger had recently been recruited which brought the team up to full strength. He hoped in the future that the services of the Highway Rangers could be expanded and that they would continue to bring excellent service to the residents and the district.

(d) Government Benefit for Council Taxpayers

Councillor A Lion advised that his question was the Finance, Qualis Client and Economic Development Portfolio Holder and stated as we emerged from the pandemic and we understand the pressures facing many families, as global inflation levels increased, he asked the Portfolio Holder how the £150 that the Government have allocated to council taxpayers was going to be developed and managed in Epping Forest for the benefit of the residents.

Councillor J Philip advised that the Council had been awarded money by the Government to pay residents in the Council tax bands A-D which consisted of £150 towards the cost of living. The Council had received almost £4.8 million which equated to approximately 32 thousand homes within the district who pay council tax. For the council tax payers that pay by direct debit this will automatically be paid into their bank accounts by the end of April. For those who do not pay by direct debit they will receive a letter asking them to apply for the £150 grant and to provide payment

details to enable the Council to make those payments this would have to be done by September this year.

For residents that are challenged with properties sitting above band D there was a small discretionary fund that would be allocated to residents who applied, for example people who might be property rich but poor in terms of income.

(e) Planning Application by a Buckhurst Hill Parish Councillor

Councillor S Heap advised that his question was to the Planning Portfolio Holder, Councillor N Bedford and asked why a meeting between senior planning officials and Conservative members of the district to discuss an application by a Conservative parish member in Buckhurst Hill eight days prior to that meeting being heard. He asked if this was common practice and did the Portfolio Holder think that it sent out the right signals in terms of fairness and justice.

Councillor N Bedford replied that this matter was being investigated by EFDC Officers that there was no further comment at this stage.

Councillor C Whitbread stated that the meeting was not outside of a normal process and the meeting was to discuss a planning process and not a planning application and he thought it was out of order for Councillor Heap to have asked that question this evening.

(f) Council Housing Allocation

Councillor D Stocker advised that his question was to the Housing Services Portfolio Holder, Councillor H Whitbread and asked if she could confirm that the council houses that became available would be allocated to local residents that were on the waiting list and not people from outside of the area.

Councillor H Whitbread advised that this was in her report and at a recent Cabinet Committee housing policies were passed which reinforced the Councils commitment that local residents on the waiting list would come first. In order to be on the Council housing waiting list you need to have lived in the district for seven years.

In March 2022 a number of units in Waltham Abbey were handed over to Epping Forest tenants and there were more to come this month in Beech Walk, Waltham Abbey.

The Housing Team have informed me today that there was a huge list of new homes to be handed over very soon.

(g) Police Hub

Councillor P Bolton advised that his question was to the Housing Services Portfolio Holder, Councillor H Whitbread and stated that a technical point in her report which advised that two police officers were joining and presumably these are on rotation and not new.

There had also been reports of anti-social behaviour within North Weald and he suspected other wards as well and asked if the Portfolio Holder was happy that the Police Hub was able to target these problems and deal with them efficiently.

Councillor H Whitbread advised that Epping Forest District Council originally had a service level agreement with Essex Police to hire three police officers who worked

exclusively within the Epping Forest District and because we have a good relationship with Essex Police they have given us a free Police Officer now making four in total who work from our policing hub. The two new Police Officers were to replace the vacancies that we had for a short period.

In relation to specific targets for anti-social behaviour, particularly in Blenheim Square in North Weald officers have worked really closely in partnership with Essex Police as well as the Councils Community Safety and Resilience team at the District Council to carry out targeted patrols. They also do some work with the youth and youth offenders and carry out patrols with the roving CCTV to try to alleviate the problems.

If any members are aware of anti-social behaviour issues within their wards do get in touch with the Community Resilience Team who do a really good job at targeting particular problems of anti-social behaviour in the district.

(h) Weed Spraying

Councillor D Wixley advised his question was to the Environmental and Technical Services Portfolio Holder, Councillor N Avey and stated that his question was to do with a very angry phone call that he had received today regarding weed spraying, which happens this time of the year and stated that where this had been going on it was causing a scorched earth appearance around the base of trees and along verges, he asked why was it necessary, which chemical was used, was the chemical entirely harmless and the resident was particularly concerned about the effect on potential wild flowers and insects.

Councillor Wixley did not expect the Portfolio Holder to be able to answer his question this evening but asked if he could look into it and come back with an answer or for wider interest reply in the Bulletin.

Councillor N Avey replied that residents complained if the Council didn't spray enough and complained if they sprayed too much he advised that he would get the technical information and would publish the information in the Bulletin for the benefit of all members.

(i) Tree Planting Scheme on Council Owned Estates

Councillor K Williamson advised his question was to the Housing Services Portfolio Holder, Councillor H Whitbread and asked if she could inform members regarding the tree planting scheme on Council owned estates.

Councillor H Whitbread advised that the tree planting programme was the result of grant funding from the Forestry Commission for 2,500 trees to plant across the district on Council owned estates. Conversations between the different groups as to where they thought these trees should go. A few weeks ago 500 were planted in Limes Farm at Chigwell with the help of Councillor Lion who was ably digging some holes and planting trees and numerous other trees were going to be planted in Loughton and Debden estates.

(j) Electric Charging Points

Councillor J Lea advised that her question was to the Environmental and Technical Services Portfolio Holder, Councillor N Avey and stated that she had recently been on holiday with a friend, who had an electric car and they found only one electric charging point that worked on the journey home and ended up being brought home by an AA vehicle recovery lorry in this brand new electric car. Everywhere they

stopped you wasn't aware in the electric charging points were working or not until you have downloaded the app for the charging point to find out it was not working after four or five stops the last one being on the motorway, they had four charging points, they were told that they had not been working for about five months. She asked the Portfolio Holder about the charging points the Council were installing in the car parks and asked if you had to download an app to find out if they were working or not or could you just put your card in and pay for it. In her opinion she did not think it was viable to have an electric car.

Councillor N Avey stated that Councillor Lea had highlighted the problems with owning an electric vehicle and that was why he did not own one. There were a multiplicity of companies around the country that provide these charging points and if you are doing a long journey the last thing you want to find on a motorway late at night was charging points that did not work so you are stuck at the services for the rest of the night. He advised that he would check to see what the ones were that the Council were installing but he expected that there would be an app attached to them. As a Council we should look to make sure that we had the most efficient system by the best provider and stated that he would find out and provide some more detail.

88. MOTIONS

The Chairman reported that there were no motions to be considered at the meeting.

89. ANTI-FRAUD AND CORRUPTION STRATEGY

Councillor I Hadley, Chairman of the Audit and Governance Committee

Councillor I Hadley advised that the Audit and Governance Committee, at its meeting on the 23 November 2021, reviewed and referred the revised Anti-Fraud and Corruption Strategy to the Council for approval.

He stated that this was a very robust strategy and pointed out the four amendments which were made:

- **HR related fraud – such as false information on job applications, bogus qualifications / references, failing to declare previous convictions etc;** (Appendix A page 50 of the Agenda)
- In cases where the offence is deliberate and serious enough to warrant prosecution, consideration will be given to the Council's **own policies as well as The Code for Crown Prosecutors** ~~fraud prosecution / sanction policy~~. If deemed appropriate legal proceedings will be undertaken in conjunction with Legal Services and / or other bodies such as the Police. Utilising the provisions of Section 222 of The Local Government Act 1972, the Corporate Fraud Team in conjunction with Legal Services are appropriately authorised to undertake criminal prosecutions (Appendix A page 51 of the Agenda);
- **Increasing ownership of the fraud risks in service areas** (Appendix A page 52 of the Agenda); and
- Reduce the losses as a result of fraud or corruption **and fully utilise available methods of loss recovery (e.g. POCA (Proceeds of Crimes Act)** (Appendix A page 53 of the Agenda).

Councillor S Murray asked if this strategy also applied to Qualis and if so do the Council expect them to follow this strategy or did they have their own Anti-Fraud and Corruption Strategy.

Councillor I Hadley stated that this strategy applied only to Epping Forest District Council as Qualis was a separate company.

Councillor S Murray asked if EFDC were the only shareholder in Qualis.

Councillor J Philip advised that Qualis did have its own strategy on Anti-Fraud and Corruption which was reported in the last Qualis Annual report about the governance that was in place. All Qualis policies are in place and are regularly monitored to make sure they are compliant. Being a private company their drivers are slightly different from being a local authority and that was why they required a different one because there were different standards that needed to be held because they were effectively a Government owned entity in terms of the bribery and corruption act which needed to be correct.

RESOLVED:

That the recommendations of the Audit and Governance Committee as set out below be agreed:

- **HR related fraud – such as false information on job applications, bogus qualifications / references, failing to declare previous convictions etc;** (Appendix A page 50 of the Agenda)
- In cases where the offence is deliberate and serious enough to warrant prosecution, consideration will be given to the Council's **own policies as well as The Code for Crown Prosecutors** ~~fraud prosecution / sanction policy~~. If deemed appropriate legal proceedings will be undertaken in conjunction with Legal Services and / or other bodies such as the Police. Utilising the provisions of Section 222 of The Local Government Act 1972, the Corporate Fraud Team in conjunction with Legal Services are appropriately authorised to undertake criminal prosecutions (Appendix A page 51 of the Agenda);
- **Increasing ownership of the fraud risks in service areas** (Appendix A page 52 of the Agenda); and
- Reduce the losses as a result of fraud or corruption **and fully utilise available methods of loss recovery (e.g. POCA (Proceeds of Crimes Act)** (Appendix A page 53 of the Agenda).

90. CONSTITUTION WORKING GROUP REPORT

In the absence of the Chairman of the Constitution Working Group, Councillor S Rackham, Councillor J Philip presented the report on her behalf.

Councillor J Philip advised that this review had occurred as a result of questions from members on a Constitution training course in May 2021. It was felt that a majority of the plans and strategies either did not exist, were no longer needed or had already been replaced. At the Constitution Working Group (CWG) on the 23 November 2021 members of the CWG considered and took the time to go through each one of the plans and strategies and agreed on what was to be either removed or updated. He

therefore urged Councillors to agree the recommendations in the report on pages 73-80 of the agenda.

Councillor S Murray stated that he felt there was not enough information in the report to agree the recommendations and stated that he had four statements to make and referred to appendix 1 (pages 74-75 of the agenda).

- (a) Community Plan / Strategy which was being removed from being reported to Council. He felt that this was important and should not be removed.
- (b) Economic Development Strategy being removed from Council to go to a Scrutiny Committee and then to Cabinet and stated that the Economic Development Strategy was important and should be reported to Full Council where all Councillors would have a chance to debate that as a member of the debating group which was key to the district.
- (c) Local Transport Plan he stated that anyone that uses buses in the district would know that the Council did not have a Local Transport Plan but he said it should not be removed.
- (d) Social Inclusion Strategy he stated he felt very strongly about this strategy, there had been no evidence of adoption by Full Council recently so it was recommended to be removed. The Social Inclusion Strategy was absolutely crucial and he gave an example relating to the Food Bank that the Council had an agreement with operated the Food in School Holiday meals (FISH) and over the last two days over 73 families had been referred to them by primary schools, feeding over 304 people through the school holidays. Any Youth worker, teacher that you speak to will tell you that social exclusion exists and therefore social inclusion in Epping Forest was really important. He stated that social exclusion was a growing problem and sadly not a diminishing problem and thought that this should not be removed as it was a strategy that should be a part of a Full Council agenda when it was relevant to be.

Councillor J Philip commented on the Social Inclusion Strategy and stated that the last reference to this strategy was in 2008 and if that was the last time there was a reference to a Social Inclusion Strategy then clearly this Council doesn't think it was something that was needed to have as a strategy adopted by the Council otherwise it would have come forward before now. Therefore given that the Council do not have a Social Inclusion Strategy, given that the Council last had one 14 years ago and given that there were currently no plans to produce one, it made no sense to the Council being the body which it should come to.

The same could be said of the other areas that Councillor Murray referred to. There were areas of the Economic Development Strategy, the Economic Development Department with the Council consists of 3.5 people which was less than one percent of the FTE equivalent in the Council therefore it did not make sense to come to Council. The Council were working on Economic Development, looking at town centres, a town centre project manager was employed working with Town and Parish Councils to drive things forward for economic development which had clearly not been successful from the Town and Parish Councils point of view and was something the Council needed to look at but it did not fit in with an Economic Development Strategy.

Councillor Chris Pond referred to the Local Transport Plan and advised that he had spent many hours at County Hall in 2011 discussing the Local Transport Plan and it

was concluded that it was the responsibility of upper tier authorities and I am not quite sure how it found its way into this Council's Constitution. He stated that he shared some of the issues that Councillor Murray raised and agreed that this district did need a Local Transport Plan but it was down to Essex County Council to reinstate it to which I believe will happen in the next few months.

Councillor Pond then referred to Appendix 2 on pages 77-80 of the agenda, the sentence which half way down page 77 that ended with statue should read statute and asked for this to be amended.

Councillor J McIvor stated a point of clarity that most of the matters discussed at CWG were discussed at the Scrutiny committees, where many members had the opportunity to raise questions and scrutinise them they also appeared in Cabinet members reports to Council where members were entitled to ask questions of the Cabinet members report at Full Council. If members had a specific concern they are entitled to ask officers or ask to meet with a Cabinet member to discuss those concerns.

Councillor Janet Whitehouse stated that she was at the Constitution Working Group when these recommendations were put forward and she agreed with Councillor Murray regarding the Social Inclusion Strategy and that it should not be abandoned as there were a lot of people that felt excluded and maybe the Council should be looking to work again on a Social Inclusion Strategy and have one that comes to Full Council to be adopted.

Councillor J Philip stated that the fact was the Council did not have a Social Inclusion Strategy, there were no plans to create one it was not something that had been identified in terms of the work programme of Overview and Scrutiny, it had not been identified as a key decision for the Cabinet to look at going forward and there were no plans for it to fit within the role of the Council at this present time. If the Council finds that they need a strategy of this nature then the Council will go through a process of identifying where that strategy needed to come from and where it needed to go which would probably be through scrutiny first. He reiterated that Council did not have a Social Inclusion Policy and it had not been discussed at Council since 2008.

Councillor Chris Pond stated as we have just adopted the Anti-Fraud and Corruption Strategy that it should now be added to Appendix 2.

Councillor J Philip stated that as this strategy had now been adopted he would be happy for it to be added to Appendix 2.

RESOLVED:

That the recommendations of the Constitution Working Group as set out below be agreed:

- (1) Recommending that the following amendments to Article 4, 1(c) be made as detailed in Appendix 2 (attached); and
- (2) That pursuant to Recommendation (1) above, the Monitoring Officer be authorised to make necessary revisions to the Council's Constitution.

91. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS

The Chairman advised that the Royal Gunpowder Mills, Waltham Abbey would be opening to the public on Easter Sunday, 17 April 2022, which had been well received by the local press.

CHAIRMAN

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Report to the Council

Committee: **Constitution Working Group (Councillor S Rackham)**

Date: **21 April 2022**

1. Joint Meeting of Development Management Chairmen and Vice-Chairmen – Composition and Function

Recommending:

- (1) That incorporation of the draft Terms of Reference below in Article 10 of the Constitution be recommended for approval by Annual Council on 26 May 2022; and**
- (2) That pursuant to Recommendation (1) above, the Monitoring Officer be authorised to make necessary revisions to the Council’s Constitution.**

1.1 A review of the composition and function of the Joint Meeting of Development Management Chairmen and Vice-Chairmen was proposed by Councillor C C Pond at the Working Group’s meeting on 3 February 2022.

1.2 Currently the committee only consists of the chairmen and vice-chairmen of the planning committees, which are appointed at the Annual Council meeting entirely along political lines.

1.3 However, the joint meeting is there to encourage smooth conduct of meetings, to troubleshoot problems that have occurred, to consider new matters (e.g. of national policy) that have arisen, and generally to facilitate the process by which members consider those planning applications where delegated decision by officers is precluded.

1.4 A slightly enlarged committee to include other group members at the joint meeting would add value in highlighting any issues. If the majority group is worried about being outvoted, then such members could be there on a non-voting basis. Their presence will be solely to facilitate good governance of the consideration of planning applications.

1.5 Since a Terms of Reference does not exist within the Constitution for the joint meeting, the Working Group considered a draft version on 21 April 2022 for inclusion in Article 10 – District Development Management Committee and Area Plans Sub-Committees (attached for information as Appendix A). A proposal to change the membership will have to be approved by Full Council, hence the submission of this report.

1.6 Following the meeting of 21 April 2022, the Working Group is recommending to Council for approval, the incorporation of the draft Terms of Reference below in Article 10.

1.7 Joint Meeting of the Development Management Chairmen and Vice-Chairmen

Terms of Reference:

- (1) To consider matters relating to the conduct and good governance of planning meetings.
- (2) To consider any current and future requirements for member training necessary to support the effective operation of the Council’s development management function and responsibilities.

- (3) The Committee shall ordinarily meet twice a year.
- (4) The Committee shall comprise the Chairmen and Vice-Chairmen of each planning committee and sub-committee, the Cabinet Member responsible for Planning Policy matters, plus a Councillor nominated by the Leader of any political group not otherwise represented on the Committee, and shall have the assistance of the officer in charge of the Development Management system, or her/his nominee.
- (5) The Committee shall be chaired by the Chairman of the District Development Management Committee, and in her/his absence, by the Vice-Chairman thereof.

2. Constitution - Review of Article 4 The Full Council Terms of Reference - Role of Council Appointees to Outside Bodies

- (1) Recommending that the Chairman of Council advises appointees to outside bodies there is an expectation to report at least once a year to Full Council, to keep members updated; and**
- (2) That the role of Council appointees to outside bodies under Article 4 of the Constitution did not need to be altered.**

- 2.1 The Working Group considered this work programme item on 21 April 2022, in response to a request from Councillor J H Whitehouse, who is of the opinion that Council appointees to outside bodies should be expected to report to Council at least once a year, so there is an accountability that members are kept informed.
- 2.2 The Service Manager (Legal) and Monitoring Officer) advised that rather than making a change to the Constitution, all members have the right to ask an appointee informally for an update report.
- 2.3 The Working Group notes that some organisations may only have one meeting a year or there may not be much of interest to report. Other update reports will be included in the Portfolio Holders' reports to Council throughout the year.
- 2.4 There is a standing item on the Council agenda where members can either receive or request reports from representatives on the business of joint arrangements and external organisations. There should also be the option for representatives to give verbal or written reports.
- 2.5 As a result of the meeting on 21 April 2022, the Working Group is recommending that the Chairman of Council advises appointees to outside bodies there is an expectation to report at least once a year to Full Council, to keep members updated, but the role of these appointees does not need to be altered under Article 4 of the Constitution.

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Constitution Working Group **Date:** Thursday, 21 April 2022

Place: Virtual Meeting on Zoom **Time:** 7.00 - 7.20 pm

Members Present: Councillors S Rackham (Chairman), D Dorrell, S Heap, S Jones, H Kauffman, J Philip, C C Pond and J H Whitehouse

Apologies: M Sartin, J McIvor and J Share-Bernia

Officers Present: N Boateng (Service Manager (Legal) & Monitoring Officer), N Richardson (Service Director (Planning Services)), G Woodhall (Team Manager - Democratic & Electoral Services) and V Messenger (Democratic Services Officer)

26. Substitute Members

It was noted that there were no substitute members for this meeting.

27. Notes of Previous Meeting

RESOLVED:

That the notes of the meeting of the Working Group held on 3 February 2022 be agreed as a correct record.

28. Terms of Reference & Work Programme

(a) Terms of Reference

The Working Group noted the Terms of Reference.

(b) Work Programme

N Boateng (Service Manager (Legal) & Monitoring Officer) advised the Working Group that the Council had been looking into adopting DocuSign to facilitate the signing of documents electronically and using an electronic seal. The move to doing this on a digital platform would necessitate updates to the Constitution. The Service Manager would report the suggested amendments to the Constitution at the next meeting on 30 June 2022.

The Working Group agreed that DocuSign was an industry standard and legally recognised, and this item was added to the work programme for 2022/23.

29. Constitution - Revisions & Amendments

The Working Group noted that its recommendations to Article 4, The Full Council Terms of Reference, sub-paragraph 1(c), were approved by Council on 5 April 2022 with the addition of the Anti-Fraud and Corruption Strategy, and would be included in the next Constitution Update of 22 April 2022.

30. Joint Meeting of Development Management Chairmen and Vice-Chairmen - Composition and Function (Note no 24 - 3 Feb 2022)

Since the Joint Meeting of Development Management Chairmen and Vice-Chairmen had no formal Terms of Reference, a draft version was considered for inclusion in the Constitution in Article 10 (District Development Management Committee and Area Plans Sub-Committees).

After discussion, the Working Group agreed to remove the following wording from the first paragraph, *'as well as considering the process of the development management system more generally, and to make recommendations to Council for any changes when necessary'*, because scrutiny of the 'process' should go to Stronger Council Select Committee. The Working Group was also required to report its recommendations to Full Council.

RESOLVED:

That incorporation of the draft Terms of Reference below in Article 10 of the Constitution be recommended for approval by Annual Council on 26 May 2022.

Joint Meeting of Development Management Chairmen and Vice-Chairmen**Terms of Reference:**

- (1) To consider matters relating to the conduct and good governance of planning meetings.
- (2) To consider any current and future requirements for member training necessary to support the effective operation of the Council's development management function and responsibilities.
- (3) The Committee shall ordinarily meet twice a year.
- (4) The Committee shall comprise the Chairmen and Vice-Chairmen of each planning committee and sub-committee, the Cabinet Member responsible for Planning Policy matters, plus a Councillor nominated by the Leader of any political group not otherwise represented on the Committee, and shall have the assistance of the officer in charge of the Development Management system, or her/his nominee.
- (5) The Committee shall be chaired by the Chairman of the District Development Management Committee, and in her/his absence, by the Vice-Chairman thereof.

31. Constitution - Review of Article 4 The Full Council Terms of Reference - Role of Council Appointees to Outside Bodies

Councillor J H Whitehouse had asked for this item to be added to the work programme as she was of the opinion that Council appointees to outside bodies should be expected to report to Council at least once a year, so there was an accountability that members were kept informed. A former head of Democratic Services had used to provide a report annually to Council.

The Service Manager (Legal) and Monitoring Officer) advised that rather than making a change to the Constitution, all members had the right to ask an appointee informally for an update report.

Councillor J Philip supported the expectation for a report once a year from appointees on outside bodies, but this should be more advisory to encourage representatives to do that. Some organisations might only have one meeting a year or there might not have been much of interest to report. Also, some update reports would be included in the Portfolio Holders' reports to Council throughout the year. He was sceptical reports must be written but rather there should be the option for representatives to give verbal reports.

G Woodhall (Democratic and Electoral Services Team Manager) informed the Working Group there was a standing item on the Council agenda where members could either receive or request reports from representatives on the business of joint arrangements and external organisations.

The Working Group agreed, as detailed below.

RESOLVED:

- (1) That the Chairman of Council advise appointees to outside bodies there was an expectation to report at least once a year to Full Council, to keep members updated; and
- (2) That the role of Council appointees to outside bodies under Article 4 of the Constitution did not need to be altered.

32. Date of Next Meeting

It was noted that the next meeting of the Working Group would be held on 30 June 2022 at 19.00.

CHAIRMAN

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