

# EPPING FOREST DISTRICT COUNCIL CABINET MEETING MINUTES

Monday 11 November 2024, 7.00 pm - 7.53 pm

Council Chamber, Civic Offices, High Street, Epping

<b>Members Present:</b>	Councillors C Whitbread (Chairman), , R Balcombe, P Keska, T Matthews, K Rizvi, H Whitbread and K Williamson
<b>Other Councillors:</b>	Councillors R Baldwin, R Brookes, M Dadd, J M Whitehouse and G Wiskin
<b>Apologies:</b>	Councillor(s) N Bedford and S Patel
<b>Officers In Attendance:</b>	Tom Carne (Corporate Communications Team Manager), David King (Licensing Manager), Vivienne Messenger (Democratic Services Officer), Steven Mitchell (PR Website Editor), Nigel Richardson (Service Director (Planning Development)), Richard Schunemann (Principal Planning Officer), Andrew Small (Strategic Director, Corporate and Section 151 Officer), John Taphouse (Interim Service Manager (Assets Strategy)), Mandy Thompson (Service Director - Regulatory Services) and Peter van der Zwan (Principal Planning Officer)
<b>Officers In Attendance (Virtually):</b>	Jennifer Gould (Strategic Director and Chief Operating Officer) and Therese Larsen (Democratic Services Officer)

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## [A RECORDING OF THIS MEETING IS AVAILABLE FOR REPEATED VIEWING](#)

### 58 WEBCASTING INTRODUCTION

The Leader of Council made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

### 59 DECLARATIONS OF INTEREST

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

### 60 MINUTES

#### **Decision:**

That the minutes of the Cabinet meeting held on 7 October 2024 be taken as read and signed by the Leader as a correct record.

### 61 REPORTS OF PORTFOLIO HOLDERS

The following verbal report was made by a member of the Cabinet on current issues affecting this area of responsibility.

#### (a) Contracts Delivery Portfolio

Councillor R Balcombe announced that Terra Verde Services (TVS) had just completed its first week of operations collecting rubbish in the District. Over 125,000 bins had been emptied

with only 96 bins missed, which meant 99.92% of bins had been cleared. This was a great improvement from two years ago when 5,000 bins were not being collected. A short video was streamed on the TVS project including the work involved in the lead up to the launch. The Leader thanked the Portfolio Holder and paid tribute to all the staff involved in this project including R Morton from Corporate Communications who had designed the TVS logo. As the Council had not received any complaints about rubbish collection, no one had known the difference to the service. The Leader was pleased by this success and with the smooth handover from Biffa to our new team.

## **62 PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET**

### **(a) Public Questions**

The Cabinet noted that no public questions had been received by the submission deadline for consideration at the meeting.

### **(b) Requests to address the Cabinet**

Mr Gardner addressed the Cabinet on the West Ongar Concept Framework item, which mainly centred on:

- drainage, as Ongar roads were affected by flooding;
- two vehicular access sites, which were deemed to be contrary to the Local Plan site specific requirements; and
- building heights of up to 3 storeys were considered out of character and could cause overlooking, so these should be limited to 2 or 2.5 storeys maximum, as the Ongar Neighbourhood Plan noted that buildings should reflect the surrounding context.

The Shaping our District Portfolio Holder (Councillor K Williamson) thanked Mr Gardner for his address. The queries he had raised had been submitted during the public consultation, but he clarified that:

- Sustainable urban Drainage Systems (SuDS) were part of the beginning stage of the concept framework and would be taken into account at the planning stage.
- Essex Highways had agreed in principle to two site access points, subject to the planning application satisfying requirements, but at no time would the Council not have safe access.
- Buildings would mainly be between 2 to 2.5 storeys in height. There were existing 3-storey buildings east of the site at Tolpuddle House, within Great Stony School and north of the Four Wantz roundabout.

## **63 OVERVIEW AND SCRUTINY**

The Chairman of the Overview and Scrutiny Committee reported that Transport for London (TfL) had attended the meeting on 29 October 2024 when members had asked many questions about the ongoing disruptions to the Central Line service, the recent increased parking charges at station car parks but potholes were not being fixed, the poor state of station toilets and littering around stations. The TfL representatives would be providing the Council with key contacts to help resolve some of these issues more quickly. Also, an additional meeting had been scheduled for 19 November 2024.

## **64 HOUSING REPAIRS AND MAINTENANCE POLICY**

The Leader remarked that the Council had 6,000 homes in the District, so this new policy would set out how the Council would deliver repairs and provide planned maintenance to its

housing stock. The report also incorporated the amendments the Communities Scrutiny Committee had proposed at its meeting on 22 October 2024.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

That the Cabinet approved the proposed policy for repairs and maintenance to homes provided by EFDC.

**65 SOUTH NAZEING CONCEPT FRAMEWORK FOR ENDORSEMENT**

Please note this item was brought forward at the meeting.

The Shaping our District Portfolio Holder introduced the South Nazeing Concept Masterplan Area. It formed one of the allocated Strategic Masterplan sites where the need for a concept masterplan framework had been identified and developed following the requirements in policies SP2 and P10. The Concept Framework Plans has been subject to extensive review and scrutiny by the applicant team engaged in drafting the CFP, the Council as the Local Planning Authority and Essex County Council as the Highways Authority. The proposals had also been reviewed by the Quality Review Panel in March 2024. The CFP had been reviewed and amended to incorporate and respond to responses from the informal consultation in July 2024. The Portfolio Holder recommended the report to the Cabinet.

The Leader commented that there had been local community engagement with District councillors, Roydon and Nazeing parish councils with linkage between local issues and the master plans. The Portfolio Holder confirmed these had been taken into account.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet noted the process undertaken in the development of the South Nazeing Concept Framework Plans between 2023 and 2024, the engagement process with EFDC and ECC officers throughout the development of the masterplan and the informal consultation undertaken with the local community and district and parish councillors by the site promoters and design team between the 16.07.24 and the 31.07.24;
- (2) That the Cabinet agreed that the South Nazeing Concept Framework Plans be formally endorsed in order for it to be taken into account as an important material consideration in the determination of future planning applications, and to inform pre-application advice, assessing planning and any other development management and implementation related purposes relating to the site; and
- (3) That the Cabinet agreed that the Planning Services Director, in consultation with the Planning Portfolio Holder, be authorised to make minor amendments to the South Nazeing Concept Framework Plans, including any document accessibility requirements, prior to publication.

**66 WEST ONGAR CONCEPT FRAMEWORK ENDORSEMENT**

The Shaping our District Portfolio Holder outlined the West Ongar CFP that was formed by the combination of two allocated sites and responded to the Local Plan. Its endorsement would ensure cohesive development. Two access points had been agreed in principle with Essex Highways. The CFP proposals had been reviewed by the Quality Review Panel in May 2024. A four-week public consultation on the draft West Ongar Concept Framework had closed on 8 October 2024. The Portfolio Holder recommended the report to the Cabinet.

Councillor M Dadd thanked officers and developers for their early input and that they had taken onboard the Ongar Design Guide and Neighbourhood Plan. With almost 600 homes being proposed in the CFP, there could be up to 1,000 vehicles more in peak time, and turning right on to a busy road would be difficult. As the councillor was concerned about road infrastructure and safety, she inquired if a working party could be set up with Essex Highways rather than waiting for an accident to happen. Thanking the speaker for querying access points, she suggested perhaps one access point might be reasonable.

Councillor P Keska supported the CFP and use of attenuation ponds for drainage purposes. He remarked that the speaker presented good arguments in his address. A safe access point for vehicles turning right on to the A414 was needed. Access on to the High Road would be difficult because of a bend in the road with a bus stop nearby. He thought that building heights would be taken into account at the planning stage. He also asked if green walkways would be used to protect existing houses from the new development.

The Portfolio Holder replied that the Council would not allow any scheme without safe access and would ensure Essex Highways was actively engaged. Additional traffic was a concern but works would be phased on building the houses. The Council would demand a S106 Agreement from the developer. Attenuation ponds being used in drainage systems had been around for some time. The Principal Planning (Implementation) Officer (P van der Zwan) clarified that there would be green buffers of trees and planting for the proposed homes particularly around the sensitive areas and these had been increased following the consultation process. Conditions would be imposed at the planning application stage to ensure these green boundaries would be maintained and not removed. However, it would be more beneficial to not have green walkways that would allow people access at the rear, and instead have gardens with buffers backing onto each other.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet noted the process undertaken and the outputs from the public consultation on the Draft West Ongar Concept Framework Plan (CFP) in September and October 2024;
- (2) That the Cabinet agreed that the West Ongar Concept Framework Plan (CFP) be formally endorsed in order for it to be taken into account as an important material consideration in the determination of future planning applications, and to inform pre-application advice, assessing planning and any other development management and implementation related purposes relating to the site; and
- (3) That the Cabinet agreed that the Planning Services Director, in consultation with the Planning Portfolio Holder, be authorised to make minor amendments to the CFP, including any document accessibility requirements, prior to publication.

**67 PAVEMENT LICENSING POLICY**

The Technical Services Portfolio Holder (Councillor P Keska) introduced the report and said that pavement licensing was introduced by the government in response to the Covid pandemic in 2020. It allowed a fast-track process for pubs, restaurants and cafes to obtain temporary permission to place chairs and tables on the pavement and increase their revenue. The Levelling Up and Regeneration Act 2023 made permanent the provisions set out in the Business and Planning Act (BPA) 2020. This permanent regime retained the key features of the 2020 legislation, intended to streamline processing and reduce costs, but also incorporated some key changes, to ensure long-term sustainability of the model. The Cabinet had approved the existing Pavement Licensing Policy on 20 July 2020, thus the Council's policy needed to be amended and updated to reflect legislative changes and guidance. The amended policy detailed the process to be followed when determining applications for the grant or renewal of a licence, standard conditions which would be attached to all Pavement Licences and the enforcement powers available to the Council following non-compliance.

Councillor K Williamson thanked the Licensing team officers for all their work.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet adopted the revised policy;
- (2) That the Cabinet agreed that licences would be granted for the maximum two years, unless there were good reasons for granting a licence for a shorter period; and
- (3) That the Cabinet agreed that further consultation and Cabinet approval would not be required on the pavement licensing policy where amendments were required solely to reflect legislative changes however, Portfolio holder approval would be required.

**68 ANY OTHER BUSINESS**

It was noted there was a late report for the Cabinet to consider regarding the Quarter 2 Budget Monitoring Report (2024/25).

**69 QUARTER 2 BUDGET MONITORING REPORT (2024/25)**

The Finance & Economic Development Portfolio Holder (Councillor H Whitbread) introduced the report which represented a fairly stable position. The Council had healthy reserves and good collection rates. At the quarter 2 stage, in terms of General Fund revenue expenditure a budget underspend of £0.131 million was forecast with a projected net expenditure of £15.740 million against an overall budget provision of £15.871 million. There were overspend pressures particularly in Planning & Development which had an overspend forecast of £533,535 in addition to costs of £168,000 on planning appeals awarded against the Council. This added to the budget pressure and included £141,000 that related to Chigwell Nursery. There were other underspends in ICT & Transformation, Regulatory Services and Customer & Communities. The Portfolio Holder reported that the Housing Revenue Account was also in a healthy position. If the overall HRA forecast materialised, the HRA Balance would end the year at £3.655 million (the adopted minimum contingency balance in the HRA Business Plan was £2.0 million).

Councillor Jon Whitehouse asked the following questions.

What plans were there to revise the business plan for Qualis in light of late charges and higher interest rates and what impact would that have on Qualis? The Commercial & Estates Portfolio Holder (T Matthews) replied the Qualis Business Plan Update would be going to the next Cabinet meeting on 9 December.

Was the forecasted underspend in ICT an ongoing spend that would go back to reserves next year or phased, so the money would go into next year's budget? The Strategic Director & 151 Officer replied that the ICT underspend was more about the late delivery of activities as opposed to the permanent reductions in costs.

Why was there an overspend on housing repairs when a key driver for moving housing repairs to Qualis was this service would be cheaper and more efficient? The Strategic Director & 151 Officer (A Small) clarified that it was to do with the amount of work required to voids as some properties had been left in a worst state of repair than had been anticipated, so this was being looked into.

Councillor G Wiskin asked the following questions.

Why was there a quarter 2 forecasted spending variance of £98,000 for the Chief Executive service area, if this was due to sick leave absence was there insurance cover in place? The Leader replied that he would come back later with a detailed reply.

With the Planning & Development projected overspend did the higher costs predicted cover the training for councillors, planning officers and the recruitment of new planning officers following the Planning Advisory Service (PAS) review? Also, with the restructure of the planning committees for better informed decision making, why was there no site visit for the Epping tree application at Planning Committee B in October when site visits were supposed to be taking place for every application going to a planning committee? The Shaping our District Portfolio Holder replied that the current budget included training, and the budget overspend was a lot less than in previous years, so this was improving. Also, the charges for the planning service the Council had to provide were set by the government. There would be site visits for every application going to committee unless the chairman decided otherwise, as site visits would take place at the discretion of the chairman. The Leader remarked that costs of £141,000 awarded against the Council on this planning appeal decision indicated why the way the planning committees had been run had needed to change. Councillor P Keska added that a substantial training programme was being organised for the chairman and officers involved with the planning committees including local councils' planning committees.

At the last Council meeting Councillor N Bedford mentioned reports were being compiled and work was being done by third parties on information for the Clean Air Zone (CAZ). Was there any budget for this project? Councillor H Whitbread replied that the Council would do everything in its power not to have a CAZ. A Portfolio Holder Advisory Group had been set up on clean air, so both research and funding were ongoing. The Shaping our District Portfolio Holder advised that reports were being done and weekly meetings were being held with the Service Director and officers.

The report set out the options considered, if any, and the reasons for the recommendation and the decision.

**Decision:**

- (1) That the Cabinet noted the General Fund revenue position at the end of Quarter 2 (30th September 2024) for 2024/25, including actions being undertaken or proposed to ameliorate the position, where significant variances had been identified (including Appendix A of the agenda report).

- (2) That the Cabinet noted the General Fund capital position at the end of Quarter 2 (30th September 2024) for 2024/25 (including Appendix B of the agenda report).
- (3) That the Cabinet noted the Housing Revenue Account revenue position at the end of Quarter 2 (30th September 2024) for 2024/25, including actions proposed to ameliorate the position, where significant variances had been identified.
- (4) That the Cabinet noted the Housing Revenue Account capital position at the end of Quarter 2 (30th September 2024) for 2024/25 (including Appendix C of the agenda report); and
- (5) That the Cabinet noted the wider position on Financial Performance and Risk at the end of Quarter 2 (30th September 2024).

**CHAIRMAN**