

EPHING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 29 June 2006

Place: Civic Offices, Epping **Time:** 7.30 - 9.54 pm

Members Present: Councillors Mrs A Haigh (Chairman), Mrs C Pond (Vice-Chairman), K Angold-Stephens, D Bateman, Councillor Mrs D Borton, Mrs P Brooks, R Church, Mrs S Clapp, M Cohen, M Colling, Mrs D Collins, Mrs A Cooper, R Frankel, P Gode, R Goold, A Green, Mrs A Grigg, J Hart, P House, D Jacobs, D Kelly, J Knapman, Mrs J Lea, J Markham, Mrs M McEwen, P McMillan, S Metcalfe, G Mohindra, R Morgan, S Murray, Mrs S Perry, Mrs P Richardson, T Richardson, Mrs P K Rush, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, G Stollar, P Turpin, Mrs L Wagland, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, M Woollard and J Wyatt

Apologies: Councillors J Demetriou, T Farr, Mrs R Gadsby, Mrs H Harding, R Law, A Lee, Mrs P Smith, D Spinks and K Wright

Officers Present: R Barwell (Public Relations and Internet Officer), G Lunnun (Democratic Services Manager), P Maddock (Assistant Head of Finance), R Palmer (Head of Finance), J Scott (Joint Chief Executive) and I Willett (Head of Research and Democratic Services)

18. MINUTES

RESOLVED:

That the minutes of the Annual Council meeting held on 18 May 2006 be taken as read and signed by the Chairman as a correct record subject to the deletion of the words, "6 years' " in minute 7(a) (vi) (Former Councillors).

19. DECLARATIONS OF INTEREST

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

20. ANNOUNCEMENTS

(a) Chairman's Announcements

(i) Former Councillor Mike Wardle

It was with much sadness that the Chairman informed the Council of the death of former District Councillor Mike Wardle. Former Councillor Wardle had served on the District Council from 1992 until 2002 representing the Loughton St Mary's Ward. During that period he had been Chairman of Plans Sub-Committee 'A' and Vice-Chairman of the Development Committee. He had also served on many Committees and Working Groups during his terms of office. The Council noted that there would be a thanksgiving service at Loughton Methodist Church at 2.00 p.m. on Tuesday 4 July 2006.

Councillors Mrs C Pond and S Murray spoke in tribute of the work undertaken by former Councillor Wardle.

All present stood for a minute's silence in tribute to former Councillor Wardle.

(ii) Flowers

The Chairman announced that the flowers from tonight's meeting would be sent to Jean Wardle, wife of former Councillor Mike Wardle.

(iii) Members'/Officers' Golf Day

The Chairman advised that approximately £500 had been raised for her charities at the recent Members'/Officers' Golf Day at Chigwell Golf Course.

(iv) Future Charity Events

The Chairman advised that a Business Golf Day would be held on 19 September 2006, an Antiques Road Show would be held in spring 2007 at Chigwell School, a Quiz Night would be held in mid February 2007 and an Abseil of the Church Langley Water Tower would take place on the Bank Holiday in early 2007.

The Chairman advised that she would update members on events on a regular basis when dates were finalised.

The Council noted that at its next meeting on 25 July 2006, the Chairman would be presenting Service Certificates to members of the First Responders Unit, one of her charities. The Chairman advised that she would be seeking a collection from members at that time.

(b) Announcements by Portfolio Holders – East of England Plan

Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder, drew attention to the recently published Examination in Public Panel Report on the East of England Plan. She cautioned that the document needed careful scrutiny before any detailed debate took place. However, she advised that the Council's arguments had prevailed in reducing the original allocation of housing for the District from 18,500 to 11,000 and now to 6,500. She also advised that there were now no plans for housing at all at North Weald. The report also recommended that Harlow should not expand to the north and a "northern relief" road was now unlikely. There was no suggestion of how to deal with the development of Harlow, a southern link road or infrastructure but of the 13,500 extra houses allocated to Harlow, the Panel was recommending that 3,000 be built in the Epping Forest District affecting areas such as Jack's Hatch, Roydon and Broadley Common.

(c) Members' Computer Training – Award of Certificates

The Chairman handed Certificates to those members who had completed recent IT training.

21. PUBLIC QUESTIONS

No public questions had been received for consideration at the meeting.

22. REPORTS OF THE CABINET

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present the reports of the Cabinet.

(a) Supplementary Estimates

(Mover: Councillor J Knapman – Finance, Performance Management and Corporate Support Services Portfolio Holder)

The Portfolio Holder drew attention to the priority objectives for 2006/07 as set out in the introduction to the Plan by the Leader of the Council. He advised that the BVPP was produced to:

- (a) summarise last year's successes in meeting our key priorities, objectives and targets;
- (b) show where those key priorities, objectives and targets were not achieved;
- (c) inform of this year's aims and targets; and
- (d) compare this year's performance with that for the previous years.

The Portfolio Holder advised that the Plan had to be adopted before the end of June 2006 and that there had been limited time to incorporate changes to priorities, etc. required as a result of the new political makeup of the Council following the elections in May 2006. He acknowledged that this had led to only limited consultation with Overview and Scrutiny which should not be repeated in future years. He also advised that in future years he envisaged clearer references to targets which had not been achieved.

First Amendment moved by Councillor S Murray and seconded by Councillor Mrs D Collins.

"That the words, "through private sector and public sector initiatives" be substituted for the words, "through initiatives such as shared ownership" at the end of the first paragraph on page 25 (Housing)".

Carried

Second amendment moved by Councillor D Jacobs and seconded by Councillor G Stollar.

"That the following words be included in the introduction to the section on Environmental Protection regarding waste management performance indicators:

"Whilst taking due account of any adverse affect on performance indicators, our commitment to the County's waste strategy and our desire for a top quartile position..."

The Portfolio Holder submitted reports regarding requests for supplementary estimates.

23. ADJOURNMENT - EVACUATION OF CIVIC OFFICES

The Fire Alarm system in the Civic Offices sounded and the Chairman adjourned the meeting at 8.00 p.m. All present evacuated the building and proceeded to the designated assembly point. On completion of the fire drill, members and officers returned to the Council Chamber and the meeting resumed at 8.10 p.m.

24. REPORTS OF THE CABINET (CONT)**(a) Supplementary Estimates****RESOLVED:**

(1) That a District Development Fund (DDF) supplementary estimate of £5,000 be approved to meet the cost of a consultant's fees in relation to the development potential of Council-owned car parks sites;

(2) That a DDF supplementary estimate of £1,500 be approved to meet the cost of replacing the Atrium ventilators in the Civic Offices; and

(3) That a Continuing Services Budget (CSB) supplementary estimate of £4,340 be approved to finance the shortfall between the lowest tender price and the budget allocation for 2006/07 for the cleaning and window cleaning contract for the Civic Offices.

(b) Best Value Performance Plan

(Mover: Councillor J Knapman, Portfolio Holder for Finance, Performance Management and Corporate Support Services)

By leave of the Council, and with the consent of the seconder, Councillor Jacobs withdrew his amendment.

Report as amended **ADOPTED**.

RESOLVED:

That the draft Best Value Performance Plan for 2006/07 be adopted subject to the substitution of the words, "through private sector and public sector initiatives" for the words, "through initiatives such as shared ownership" at the end of the first paragraph on page 25 (Housing).

25. STATUTORY STATEMENT OF ACCOUNTS - 2005/06

The Portfolio Holder for Finance, Performance Management and Corporate Support Services presented the Council's Statutory Statement of Accounts for the year ending 31 March 2006, and reminded the Council that it had to be agreed before 30 June 2006.

The Portfolio Holder drew attention to the increased amount of balances due to underspending mainly as a result of staff vacancies. He advised that there would be a need to look again at the Council's recruitment and retention policies and decide whether some of the vacant posts were still required. In relation to DDF scheme slippages he advised that he had asked Heads of Service to justify requests for carry forward of schemes which had not been undertaken.

The Portfolio Holder advised that the Finance and Performance Management Cabinet Committee had considered the Statement in detail and had recommended it for approval and adoption subject to inclusion of a revised cash flow statement. The Portfolio Holder drew attention to a final copy of the cash flow statement, which had been tabled at the meeting.

RESOLVED:

- (1) That the Statutory Statement of Accounts for the financial year ending 31 March 2006, including the revised cash flow statement be approved and adopted; and
- (2) That the Head of Finance and other officers responsible for producing the Statement be congratulated on achieving the deadline for adoption of the Statement.

26. EPPING FOREST DISTRICT STANDARDS COMMITTEE - FOURTH ANNUAL REPORT - 2005/06

The Head of Research and Democratic Services reported apologies for absence from the Chairman of the Standards Committee, Dr D Hawes. In the absence of Dr Hawes, the Head of Research and Democratic Services presented the fourth annual report of the Committee.

The Head of Research and Democratic Services drew attention to the response made by the Committee to a consultation document from the Standards Board for England regarding a review of the ethical framework. He also drew attention to the concerns of the Committee in relation to the resources required in order to adjudicate and investigate allegations against members. He also stressed the recommendation of the Committee that it was important for members to seek advice, make sure that they were up-to-date on the requirements of the Code of Conduct and carefully think through their position on issues which arose.

Report as first moved **ADOPTED.**

RESOLVED:

- (1) That the fourth annual report of the Standards Committee be received and noted; and
- (2) That the Standards Committee be thanked for their work during the past year.

27. EPPING FOREST DISTRICT AND PARISH REMUNERATION PANELS - ANNUAL REPORT - 2005/06

The Head of Research and Democratic Services presented the third annual report of the Member and Parish Remuneration Panels for the Epping Forest District. He emphasised that the Panels comprised independent people who had volunteered to advise on the payment of allowances and expenses to councillors.

The Council noted that during 2005/06, consideration had been given to the Members' Connectivity Scheme, Special Responsibility Allowances for Licensing Committee Members, Overview and Scrutiny Committee members and Cabinet Portfolio Holders. The Panel had also reviewed members' travelling expenses. Despite concerns expressed by the Panel about the taxation position in relation to

members' connectivity payments, HM Revenue and Customs had advised that any income tax liability would remain.

Report as first moved **ADOPTED**.

RESOLVED:

- (1) That the third annual report of the Member and Parish Remuneration Panels be noted; and
- (2) That the Remuneration Panels be thanked for their work during the past year.

28. COMMITTEES, SUB-COMMITTEES AND PANELS - APPOINTMENTS OUTSTANDING FROM THE ANNUAL COUNCIL MEETING

The Council considered nominations of Group Leaders in relation to appointments outstanding from the Annual Council meeting.

RESOLVED:

That the following members be appointed to the Committees, Sub-Committees and Panels indicated for the remainder of the current municipal year:

Committee/Sub-Committee/Panel	Member
(a) Licensing Committee	M Woollard
(b) Joint Consultative Committee	Mrs P Richardson
(c) Ad Hoc Panel on Top Management Structure	J M Whitehouse
(d) Leisure Management - Contract Monitoring Board	T Farr
(e) Staff Appeals Panel (Substitutes)	Mrs P Brooks Mrs C Pond J Wyatt
(f) District Development Control Committee - Group Representatives	M Colling (Conservative) Mrs P Richardson (BNP)
(g) Area Plans Sub-Committee 'A' – Group Representatives	B Sandler (Conservative) P Spencer (Liberal Democrats) K Angold-Stephens (LRA)
(h) Area Plans Sub-Committee 'B' – Group Representatives	D Stallan (Conservative) R Frankel (Liberal Democrats)
(i) Area Plans Sub-Committee 'C' – Group Representative	Mrs H Harding (Conservative)
(j) Area Plans Sub-Committee 'D' – Group Representative	Mrs P Smith (Conservative)

29. MOTIONS**(a) Roding Road, Loughton – Closure**

The Council considered the following motion moved by Councillor S Murray and seconded by Councillor K Angold-Stephens:

"This Council notes the following:

- (1) the damage done to the Roding Road Central Line bridge on Tuesday 13 June 2006;
- (2) the subsequent closure, since that date, of Roding Road for through traffic; and
- (3) the resultant hold-ups and traffic congestion on the local road network;

and calls on:

- (i) Essex County Council Highways and Metronet to work together to get this road reopened at the earliest possible date; and
- (ii) the Leader of the Council, appropriate Portfolio Holders and the Joint Chief Executives to communicate our concerns about the situation to all appropriate bodies."

By leave of the Council, Councillor K Angold-Stephens requested that representations also be made to the Post Office to seek an improvement in collections, which had been substantially reduced in the locality due to the road closure.

Carried

Motion as amended **ADOPTED.**

RESOLVED:

That this Council notes the following:

- (1) the damage done to the Roding Road Central Line bridge on Tuesday 13 June 2006;
- (2) the subsequent closure, since that date, of Roding Road for through traffic;
- (3) the resultant hold-ups and traffic congestion on the local road network;
- (4) the resulting reduction in Post Office collections in the locality;

and calls on:

- (i) Essex County Council Highways and Metronet to work together to get this road reopened at the earliest possible date;

(ii) the Post Office to seek an improvement in collections in the locality; and

(3) the Leader of the Council, appropriate Portfolio Holders and the Joint Chief Executives to communicate our concerns about the situation to all appropriate bodies.

(b) Cabinet Portfolios

The Council considered the following motion moved by Councillor Mrs D Collins and seconded by Councillor C Whitbread:

"That the revisions to the Cabinet Portfolios agreed at the Annual Council meeting on 18 May 2006 (9) be amended for the purposes of clarification as follows:

(i) Leader's Portfolio

Add:

Chairmanship of the Cabinet

Management and Co-ordination of Cabinet business

Constitutional matters

Major property/development proposals affecting the Council's Property Portfolio (where necessary in consultation with the Housing Portfolio Holder) but excluding ongoing estate management

Local Land Charges

Staff Development Reviews for Joint Chief Executives

(ii) Customer Services, Media, Communications and ICT Portfolio

Add:

Customer Services champion initially dealing with the customer services aspects of the introduction of wheeled bins for refuse/recycling.

(iii) Environmental Protection Portfolio

Add:

Waste Management Contract (Operational issues only, i.e. excluding customer services aspects which are included in the Customer Services, Media, Communications and ICT Portfolio)

and that these changes be published in the Council's Constitution".

Motion as first moved **ADOPTED**.

RESOLVED:

That the revisions to the Cabinet Portfolios agreed at the Annual Council meeting on 18 May 2006 (9) be amended for the purposes of clarification as follows:

(i) Leader's Portfolio

Add:

Chairmanship of the Cabinet

Management and Co-ordination of Cabinet business

Constitutional matters

Major property/development proposals affecting the Council's Property Portfolio (where necessary in consultation with the Housing Portfolio Holder) but excluding ongoing estate management

Local Land Charges

Staff Development Reviews for Joint Chief Executives

(ii) Customer Services, Media, Communications and ICT Portfolio

Add:

Customer Services champion initially dealing with the customer services aspects of the introduction of wheeled bins for refuse/recycling.

(iii) Environmental Protection Portfolio

Add:

Waste Management Contract (Operational issues only, i.e. excluding customer services aspects which are included in the Customer Services, Media, Communications and ICT Portfolio)

and that these changes be published in the Council's Constitution.

30. QUESTIONS BY MEMBERS**(a) Traffic Regulation Orders – New Parking Regime in Epping**

By Councillor J M Whitehouse to Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance

"What steps is the Portfolio Holder taking to make sure that the views of local residents and ward members are taken into account when a decision is taken on the Traffic Regulation Orders which implement a new parking regime in Epping; when will he decide his own response; and will he publish his decisions and reasons?"

(b) Traffic Regulation Orders – New Parking Regime in Buckhurst Hill**By Councillor R Goold to Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

"What steps is the Portfolio Holder taking to make sure that the views of local residents and ward members are taken into account when a decision is taken on the Traffic Regulation Orders which implement a new parking regime in Buckhurst Hill; when will he decide his own response; and will he publish his decisions and reasons?"

Response by Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance to Councillors J M Whitehouse and R Goold

"The closing date for public response to the published road traffic orders was 9 June 2006. The advertisement required all comments/objections to be sent to the County Council's Secretary's Department at County Hall. All objections will be collated and forwarded to County Highway Officers for their consideration. County Officers will then make their views known to the appropriate Portfolio Holder depending upon the nature of the roads in question.

For the County network and that includes the High Road, the County Portfolio Holder will consider them. In doing so he will consult the local County member, but he has also said that he would take into account local political views before making his decision.

As to the local network, I (the Portfolio Holder for Civil Engineering and Maintenance) will consider the objections and I will consult with local ward members before I make my views known to the local Highway Manager at Harlow. Whilst it is therefore technically a County decision, for local roads the views of the District Portfolio Holder will carry particular weight.

As yet I have not received the details of any objections to the Orders, but I understand that there are many of them. I will ensure that all members are made aware of the outcome of the process through the Members' Bulletin."

Supplementary Question from Councillor J M Whitehouse arising from the reply for the purpose of elucidation

"Will the Portfolio Holder clarify the timescale for consideration of the objections?"

Response by Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance

"As I have said the closing date for the public response was 9 June 2006. I understand that hundreds of comments were sent to the County Council. As soon as I receive details I will meet with appropriate ward councillors and I will then formulate a response for conveying to the County Council."

(b) Town and Country Planning – Section 106 Agreement**By Councillor Mrs J H Whitehouse to Councillor Mrs A Grigg, Portfolio Holder for Planning and Economic Development**

"Who is involved in deciding what a Section 106 Planning Agreement will deliver and, if it is a sum of money, how is it decided exactly what the money will be spent on? I

feel that all councillors could make a useful contribution and should be consulted. Will the Portfolio Holder amend the process so that all councillors are involved in Section 106 Agreements?"

Response by Councillor Mrs A Grigg, Portfolio Holder for Planning and Economic Development

"Section 106 Agreements can restrict a grant of permission or can require benefits to be granted that relate in scale and kind to the development the subject of a planning permission.

The nature of the community benefits usually derive from either an officer suggestion/requirement based upon County policy and priorities, such as affordable housing provision or a contribution towards an adopted town centre enhancement scheme, from a County Council requirement such as a contribution for education or for public transport improvements, or from the applicants themselves.

Councillors receive notice of all applications by means of the Weekly List of Planning Applications and can make enquiries with the staff of Planning Services about any particular case but, because of the time pressures on determination of applications, it would not be possible to consult ward councillors about individual items of an Agreement. The general terms of an Agreement are reported to Committee with the application and there is an opportunity at that stage for any member to comment upon the proposals. The terms are agreed by members and the resolution is minuted.

From time to time, a financial contribution is obtained for general environmental improvements and it has been the practice of the Planning Officers to consult the relevant ward councillors and local councils for suggestions relating to the spending of these sums at an appropriate opportunity.

In practice, apart from the latter scenario, there is little scope for involving members in the minutiae of spending options, and consequently I do not believe any change in the process can reasonably be made."

Supplementary question from Councillor Mrs J H Whitehouse arising from the reply for the purpose of elucidation

"Ward councillors were not consulted on the use of the £29,000 received as part of the development of The Thaxted House, High Street, Epping. Will the Portfolio Holder review the process to ensure it is now working?"

Response by Councillor Mrs A Grigg, Portfolio Holder for Planning and Economic Development

"Part of the sum received is to be spent on tree maintenance for which an estimate is awaited; when the remaining amount is known consultation will take place with ward councillors and the Town Council about the spending of that sum."

In response to a further supplementary question asked by Councillor Mrs J H Whitehouse, the Chairman advised Councillor Mrs Whitehouse that she was only entitled to one supplementary question under the Council's Constitution

(d) Recycling and Residual Waste Tonnages**By Councillor D Jacobs to Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

"Due to the lack of a weighbridge together with other considerations at the Langston Road Depot, it has been difficult in recent months to obtain recycling and residual waste tonnages and percentages in relation to the waste collection service; can the Portfolio Holder advise what plans the Contractor/Council have to remedy the situation so that Councillors can be fully informed (perhaps quarterly through the Bulletin) of our anticipated progress towards the top quartile of councils; and can he further advise that, should the Depot be moved from Langston Road, any new site will include a weighbridge?"

Response by Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT

"I am confident that once the new arrangements with Cory Environmental settle down, we shall be able to receive accurate weighbridge details to enable us to properly monitor our recycling performance. There will remain however, a particular difficulty with partially loaded vehicles where the load from one day is carried over to the rounds undertaken on the following day. Officers are considering how best to deal with this difficulty, including the use of portable weighbridge facilities which are now available.

I am not aware at this time of any immediate intention to relocate the Depot from its current location, but should that need arise, we shall look carefully at that time at what facilities will be needed, including weighbridge facilities."

(e) Furniture Exchange Scheme**By Councillor Mrs J H Whitehouse to Councillor Ms S-A Stavrou, Portfolio Holder for Community Wellbeing**

"In September 2004, the Cabinet gave approval to a furniture exchange scheme which would enable unwanted furniture to be made available to disadvantaged people. It was also going to provide job opportunities to people with learning disabilities. This scheme was to be operated by the King's Church in Brentwood. The Cabinet in December 2004 agreed that a base for the project would be made available at Town Mead, Waltham Abbey and a five-year lease was to be negotiated.

How many collections has the King's Church made in Epping Forest and how much furniture has been provided to disadvantaged people? What advertising has been done so that residents know of this service?

If the King's Church have been unable to operate the furniture exchange scheme will the Portfolio Holder look for alternative providers for this service?"

Response by Councillor Ms S-A Stavrou, Portfolio Holder for Community Wellbeing

"It is anticipated that there will be an operational depot in the District very shortly. The scheme will operate from Town Mead Depot in Waltham Abbey. It was hoped that this District's scheme would have been "up and running" by now. However, given the location and the nature of the scheme and the number of health and safety and environmental considerations involved, negotiations between the partner

organisations have proved to be more protracted than originally envisaged. These negotiations have now been completed except for minor issues and the lease is ready to sign. A meeting to resolve these minor issues is to be held very shortly, following which a date for commencement will be agreed.

I would point out, however, that currently furniture is being collected and delivered in this District from the operational depot in Brentwood.

I acknowledge the need for extensive publicity arrangements and it is intended to put these into effect at the appropriate time. However, I feel it is important for the scheme to become established first.

I will arrange for Councillor Mrs Whitehouse to receive regular, say monthly, updates from officers on the progress of the scheme if she thinks this would be useful."

Supplementary Question from Councillor Mrs J H Whitehouse arising from the reply for the purpose of elucidation

"How do residents know about the current arrangements using the operational depot in Brentwood?"

Response by Councillor Ms S-A Stavrou, Portfolio Holder for Community Wellbeing

"Information is given in response to any enquiry received and I will arrange for details to be included in the Members' Bulletin so that councillors are aware of the contact at the Brentwood depot."

CHAIRMAN