EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council Date: 24 April 2007

Place: Council Chamber, Civic Offices, Time: 7.30 - 10.07 pm

High Street, Epping

Members Councillors Mrs A Haigh (Chairman), Mrs C Pond (Vice-Chairman), **Present:** K Angold-Stephens, Mrs D Borton, Mrs P Brooks, K Chana, R Church,

Mrs S Clapp, M Cohen, M Colling, Mrs D Collins, Mrs A Cooper, J Demetriou, Mrs R Gadsby, P Gode, R Goold, R D'Souza, R Frankel, Mrs A Grigg, R Haines, Mrs H Harding, J Hart, D Jacobs, J Knapman, R Law, J Markham, Mrs M McEwen, P McMillan, S Metcalfe, G Mohindra. R Morgan, S Murray, Mrs S Perry, Mrs P Richardson, T Richardson, B Sandler, Mrs M Sartin, P Spencer, Mrs P Smith, D Stallan, Mrs L Wagland, C Whitbread, Mrs J H Whitehouse, Ms S Stavrou,

J M Whitehouse, M Woollard, K Wright and J Wyatt

Apologies: Councillors D Bateman, T Farr, P House, Mrs J Lea, A Lee, Mrs P K Rush,

D Spinks and P Turpin

Officers P Haywood (Joint Chief Executive), J Scott (Joint Chief Executive), I Willett Present: (Head of Research and Democratic Services). T Tidey (Head of Human

(Head of Research and Democratic Services), T Tidey (Head of Human Resources and Performance Management), J Gilbert (Head of Environmental Services), G Lunnun (Democratic Services Manager), P Maddock (Assistant Head of Finance) and J Boreham (Assistant Public Relations and Information

Officer)

90. WELCOME AND WEBCASTING INTRODUCTION

The Chairman welcomed those present, including a group of trainee journalists from Harlow College, and reminded everyone present that the meeting would be broadcast live to the Internet, and would be capable of repeated viewing.

91. MINUTES

RESOLVED:

That the minutes of the meeting held on 20 February 2007 be taken as read and signed by the Chairman as a correct record subject to the references to "Buckhurst Hill East Ward" in Minute 78(c) (Highway Services) being amended to read "South of the District".

92. DECLARATIONS OF INTEREST

The Joint Chief Executive (Resources) declared an interest in agenda item 19 (Chief Executive – Salary Proposals and Contractual Terms) and advised that he would leave the meeting for the consideration and voting on that item.

93. ANNOUNCEMENTS

(a) Chairman's Announcements

(i) Flowers

The Chairman announced that the floral display from tonight's meeting would be sent to Councillor D Spinks, currently unwell, who after serving the Council for 13 years in two periods would not be seeking re-election on 3 May 2007.

(ii) Councillors R Goold, R Haines and S Metcalfe

The Chairman advised that Councillors R Goold, R Haines and S Metcalfe would not be seeking re-election on 3 May 2007. She thanked them for their service to the Council.

(iii) Antiques Roadshow

The Chairman announced that £300 had been raised for her charities at an Antiques Roadshow held on 14 April 2007 at Chigwell School.

(iv) Abseil - Water Tower, Church Langley

The Chairman announced that Councillors R Frankel and J M Whitehouse would be abseiling the Water Tower in aid of her charities on 5 May 2007. She encouraged other members to sponsor them or to undertake the abseil themselves.

(v) Charity Walk

The Chairman reminded members that with the assistance of Councillor R Morgan, a walk through private woodland in Matching in aid of her charities would be held on 13 May 2007.

(vi) Chairman's Charities for the Year

The Chairman reported that Essex Ambulance Community First Responders were now in a position to expand their service to the north of the District following the acquisition of equipment with money raised through her charity events.

The Chairman sought further support for her charities during the remaining term of her office and advised that Homestart Epping Forest were in particular need of further support as they had recently been advised that their funding from Essex County Council would be cut.

(vii) Denim for Diabetes

The Chairman advised that many councillors were wearing denim at this meeting in support of Denim for Diabetes. She introduced Mrs Sue Stallan and her daughter Amy and advised that they would make a collection from councillors in aid of research into diabetes. A sum of £282 was collected.

(viii) Marie Curie Cancer Care

On behalf of Councillor K Angold-Stephens, the Chairman thanked members for sponsoring Councillor Angold-Stephens and his wife for a recent swimathon. She

advised that Councillor Angold-Stephens and his wife had raised approximately £1000 after swimming 896 lengths during a six week period.

(b) Leader's Announcements

(i) Expansion of Harlow

Councillor Mrs D Collins reported that she had recently attended a joint meeting with other local authorities to discuss houses to be built in this district as part of the expansion of Harlow. She emphasised the need to reach agreement with the other authorities in relation to this matter in order to avoid expansion being imposed by a development corporation.

(ii) Loughton Town Council

Councillor Mrs Collins advised that she had recently met with representatives of Loughton Town Council to discuss a number of issues.

(c) Planning and Economic Development Portfolio Holder's Announcement

(i) Seminar for Members

Councillor Mrs Grigg invited members to attend a half-day seminar on 25 May 2007 regarding the achievement of good design in affordable housing, and the application of sustainable building measures in new housing development. She advised that the seminar would involve a coach trip around some developments in Essex that demonstrated good practice. She apologised for the short timescale for members to indicate an interest but advised that she had only recently received notice of the event.

94. PUBLIC QUESTIONS (IF ANY)

(i) Telecommunications Mast – Waltham Abbey

The Chairman welcomed Mr and Mrs D Brooks to the meeting. Mr Brooks read the following question to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder -

"We strongly object to the recent siting of the O_2 mast at the junction of Honey Lane and Stonyshotts which was erected by default due to incompetence by Epping Forest District Council.

Also, in our opinion not only is the mast unsightly but it is extremely hazardous to the health of the local residents. It has also devalued the properties in the close proximity.

Will the Portfolio Holder for Planning and Economic Development give the residents an assurance that the mast will be removed at the earliest opportunity?"

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

"Firstly, I would like to reiterate the apology which has already been given by the Council for the error made in processing the documents submitted in respect of the erection of the mast.

I understand that a mast in this location is regarded by residents as being unsightly. However, the Council has no evidence to suggest that the mast is hazardous to health, and this was not an objection which the Council could have made, in the light of other Government decisions on such matters. The view that the mast has devalued properties in close proximity is noted, but the Council has not yet considered evidence on this point.

I can assure residents that the details of the mast are still being checked for compliance with planning legislation. If it does not comply then action against the mast is likely. If that is not possible, I will ask the Council's Cabinet to agree to the removal of the mast either by negotiation or by formal action with that objective in mind. However, it must be borne in mind that the developer will have a right of appeal if formal action is taken".

Supplementary Question by Mr Brooks to Councillor Mrs A Grigg

Did you read an article on the front page of a recent edition of the Sunday Times regarding the effects of telecommunications masts on the health of nearby residents?

Response by Councillor Mrs A Grigg

I am aware of the article but I have not yet read it.

95. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET

The Council received reports (circulated) from the Leader, the Chairman of the Overview and Scrutiny Committee, the Civil Engineering and Maintenance Portfolio Holder, the Community Wellbeing Portfolio Holder, the Environmental Protection Portfolio Holder, the Housing Portfolio Holder, the Leisure and Young People Portfolio Holder and the Planning and Economic Development Portfolio Holder.

By leave of the Council, Councillor Mrs D Collins, the Leader of the Council expanded on her report regarding the Audit and Inspection – Annual Letter. She congratulated officers on taking the Council out of special measures in relation to development control and for other improvements acknowledged in the audit inspection letter. She advised that the Council would strive to achieve higher scores following future inspections.

Councillor Mrs Collins drew attention to the item in her submitted report regarding HM forces stationed overseas. She pointed out that Tewkesbury Borough Council were seeking support for their representations to the Government to reinstate the facility whereby British Forces and their families who were stationed overseas could receive parcels free of charge. She acknowledged that requests for such support would normally be put to the Council by way of a motion and she agreed that this would be the case in future. However, in order not to delay a response to Tewkesbury Borough Council she sought leave of the Council for a decision on this matter.

RESOLVED:

That this Council associates itself with the initiatives being taken by Tewkesbury Borough Council.

96. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Free Car Parking

By Councillor Mrs L Wagland to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder

Would you provide an update on the position of free car parking (on Saturdays)?

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

The position is that as of 1 April 2007 free parking has been available in the Council's off-street long and long/combined car parks within the District.

(b) Members' Allowances

By Councillor B Sandler to Councillor J Knapman, Finance and Performance Management Portfolio Holder

There has been some adverse comments made recently on the letters page of the local papers concerning members' allowances; does the Portfolio Holder have any up to date data on the amount of allowances paid by other Councils?

Response by Councillor J Knapman, Finance and Performance Management Portfolio Holder

I am aware of the comments and in order to give some idea of comparison with other local authorities I can provide the following data: the average amount paid to a member at Brentwood Borough Council is £7,713; at Colchester Borough Council it is £7,051; at Uttlesford District Council it is £6,173; at Braintree District Council it is £5,390; at Harlow it is £4,689; and at this Council it is £3,242. These figures show this Council pays the lowest allowances and provides best value.

(c) Waste Management

By Councillor Mrs H Harding to Councillor S Metcalfe, Customer Services, Media, Communications and ICT Portfolio Holder

The tabloid papers today have criticised 144 councils for having two-weekly collections of residual waste; can the Portfolio Holder confirm that this Council will be having weekly collections in the summer months this year?

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

I can confirm that this Council will not waive from its commitment to provide summer weekly collections of residual waste; weekly collections will be made over an 18 week period from mid-May until mid-September; the tender documents for the new waste management contract seek bids for a full weekly collection or a 22 weekly summer collection.

(d) Anti-social Behaviour

By Councillor S Murray to Councillor Ms S-A Stavrou, Community Wellbeing Portfolio Holder

Bearing in mind the problems in the Loughton Roding Ward in recent weeks culminating in a running street fight last Friday, what steps are the Police taking to address this matter and as a last resort whether consideration is being given to a dispersal order?

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

Joint Action Group meetings are held weekly with the Police at Epping Police Station and the minutes of those meetings are available for inspection in the Members' room; these include the specifics of incidents and the remedial steps being taken; at the Crime and Disorder Task and Finish Panel last evening we were assured by the Police that four extra sergeants and 14 extra officers are on the streets in Loughton and Debden; the resolution of these problems requires a multi-agency approach and we are working through the Crime and Disorder Reduction Panel to resolve the matters.

(e) Telecommunications Mast – Waltham Abbey

By Councillor P McMillan to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder

Will the Portfolio Holder give an assurance to residents that a full report will be made to the next Cabinet or Council meeting regarding progress towards securing the removal of the mast; will the Portfolio Holder give a further assurance that included within that report will be the matter of compensation with regard to the criteria being widened and available to those affected by the mast but who did not necessarily write to complain about it?

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

I would like to assure Councillor McMillan that I take this matter very seriously and I confirm that a report will be made to the Cabinet as soon as possible; as part of that report consideration will be given to the payment of compensation.

(f) Parking Reviews

By Councillor M Woollard to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder

I note that all residents and businesses affected by the Epping, Buckhurst Hill and Loughton TCE traffic orders will receive leaflets on the effect of the new parking restrictions; can the Portfolio Holder confirm that these leaflets will cover enforcement, the cost and time of permits, dates when they will be available etc?

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

When considering reviews I have always invited all ward councillors to meetings and the action taken has been driven by the input of those local councillors; I see no need

to depart from that approach in future; I take on board your comments about what should be included in the leaflets but I do not yet know exactly what the content of those will be and I will have to come back to you with a date when they will be sent out to residents.

(g) Highway Services

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

If I provide you with a list of highways in the south of the district requiring maintenance will you press Essex County Council to get the necessary work undertaken?

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

As you are aware I have made representations to Essex County Council about the condition of highways across the whole district; I have asked members to advise me of their concerns in relation to particular highways; I am happy to take up all such concerns with the County Council but members must appreciate that it is the County Council which makes the ultimate decisions on maintenance.

By leave of the Council, Councillor Mrs D Collins advised that the County Council Portfolio Holder responsible for highways had recently resigned. He had been due to visit the district in order to be shown the poor condition of the highways and when a new Portfolio Holder had been appointed a renewed request would be made for such a visit.

(h) Review of Taxi Licensing

By Councillor Mrs P Richardson to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder

As part of the wide-ranging review of the licensing of taxis within the district, will restrictions be included on the sounding of horns after 11 pm leading to cancellation of a licence if three or more complaints are received?

Response by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder

It is currently illegal to sound horns in built up areas after 11 pm and it is not therefore necessary to impose such a condition on licences; however, there will be a wideranging review of the licensing of taxis within the district and all members will be consulted on proposals.

(i) Parking Reviews

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

In view of the length of time since consultations were undertaken, the restrictions being introduced will not necessarily meet the needs of current issues; as a result a six month review will be essential to tackle any issues; can the Portfolio Holder confirm that he is still committed to such a review and that he will make adequate resources available so as not to repeat a long delay in the process?

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

I appreciate there was a long delay in the process in relation to Epping; this was not due to this Council but to legal processes at Essex County Council; I do not recall committing to a six month review of on-street parking; we will react to cases as and when necessary but there is no intention to undertake a further full scale consultation exercise; on balance I think it is unlikely that changes will be required.

(j) The Broadway, Loughton Town Centre Enhancement

By Councillor K Angold-Stephens to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder

In view of the inaccurate information provided regarding the depth of a gas main will the Portfolio Holder approach National Grid Gas expressing concern about what could have led to serious consequences even greater than the financial effects on the town centre enhancement; as a minimum National Grid Gas should issue an apology or a gesture of goodwill to the residents for the disruption they have suffered?

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

We will be writing to National Grid Gas putting our case.

97. MOTIONS

(a) Vice-Chairman of the Council

Motion moved by Councillor R Morgan and seconded by Councillor S Murray

"That this Council -

- (i) notes that the protocol for electing the Vice-Chairman of the Council has been suspended at each of the last three Annual Council meetings and is, therefore, no longer workable;
- (ii) resolves that nominees for the office of Vice-Chairman of the Council should in future submit a nomination form signed by not less than 12 district councillors drawn from at least two political groups;
- (iii) reaffirms the principle that the nominee for Vice-Chairman of the Council may be drawn from any political group or any independent member serving on the Council; and
- (iv) further resolves that the process for agreeing on a nomination for Vice-Chairman of the Council be co-ordinated by the Leader of the Council in consultation with independent members and the leaders of all political groups.

Carried

Motion as first moved ADOPTED

RESOLVED:

That this Council -

(i) notes that the protocol for electing the Vice-Chairman of the Council has been suspended at each of the last three annual council meetings and is, therefore, no longer workable;

- (ii) resolves that nominees for the office for Vice-Chairman of the Council should in future submit a nomination form signed by not less than 12 district councils drawn from at least two political groups;
- (iii) reaffirms the principle that the nominee for Vice-Chairman of the Council may be drawn from any political group or any independent member serving on the Council; and
- (iv) further resolves that the process for agreeing on a nomination for Vice-Chairman of the Council be co-ordinated by the Leader of the Council in consultation with independent members and the leaders of all political groups".

(b) Climate Change

Motion moved by Councillor J M Whitehouse and seconded by Councillor D Jacobs (supported by Councillors R Frankel, D Kelly, Mrs P K Rush, P Spencer and Mrs J H Whitehouse).

"That this Council -

- (a) acknowledges:
- evidence shows climate change is occurring;
- climate change will have far-reaching effects on the UK's people and places, economy, society and environment;
- (b) welcomes:
- the social, economic and environmental benefits which come from combating climate change;
- the emissions targets agreed by Central Government and the programme for delivering change, as set out in the UK climate change programme;
- the opportunity for local government to lead the response at a local level, encouraging and helping residents, local businesses and other organisations to reduce their energy costs, reduce congestion, adapt to the impacts of climate change, improve the local environment, and deal with fuel poverty;
- the endorsement of this declaration by Central Government, the Local Government Association and other Councils across the country;
- (c) commits itself:

 to work with Central Government to contribute, at a local level, to the delivery of the UK climate change programme, the Kyoto Protocol and the target for carbon dioxide reduction by 2010;

- to participate in local and regional networks for support;
- to develop plans with our partners and local communities to address the causes and impacts of climate change, according to local priorities and securing maximum benefits for our communities:
- to achieving a significant reduction of greenhouse gas emissions from our own operations, especially energy sourcing and use, travel and transport, waste production and disposal and the purchasing of goods and services;
- to assess the risks associated with climate change and the implications for our services and our communities of climate change impacts and adapt accordingly;
- to encourage our local community to adapt to the impacts of climate change, to reduce their own greenhouse emissions and make public their commitment to take action;
- to monitor the progress of our plans against the actions needed and publish the results; and
- (d) acknowledges the increasing impact that climate change will have on our community during the 21st century and commits to tackling the causes and effects of a changing climate on our district".

Amendment moved by Councillor Mrs M Sartin and seconded by Councillor D Stallan

"That the following clause be added to the motion:

(e) recommends that these issues be looked at by the Environment and Planning Services Standing Panel and that consideration be given to the signing of the Nottingham Declaration"

Carried

Motion as amended ADOPTED

RESOLVED:

"That this Council:

- (a) acknowledges:
- evidence shows climate change is occurring;
- climate change will have far-reaching effects on the UK's people and places, economy, society and environment;
- (b) welcomes:
- the social, economic and environmental benefits which come from combating climate change;

- the emissions targets agreed by Central Government and the programme for delivering change, as set out in the UK climate change programme;

- the opportunity for local government to lead the response at a local level, encouraging and helping residents, local businesses and other organisations to reduce their energy costs, reduce congestion, adapt the impacts of climate change, improve the local environment, and deal with fuel poverty;
- the endorsement of this declaration by Central Government, the Local Government Association and other Councils across the country;
- (c) commits itself:
- to work with Central Government to contribute, at a local level, to the delivery of the UK climate change programme, the Kyoto Protocol and the target for carbon dioxide reduction by 2010;
- to participate in local and regional networks for support;
- to develop plans with our partners and local communities to address the causes and impacts of climate change, according to local priorities and securing maximum benefits for our communities;
- to achieving a significant reduction of greenhouse gas emissions from our own operations, especially energy sourcing and use, travel and transport, waste production and disposal and the purchasing of goods and services;
- to assess the risks associated with climate change and the implications for our services and our communities of climate change impacts and adapt accordingly:
- to encourage our local community to adapt to the impacts of climate change, to reduce their own greenhouse emissions and make public their commitment to take action;
- to monitor the progress of our plans against the actions needed and publish the results:
- (d) acknowledges the increasing impact that climate change will have on our community during the 21st century and commits to tackling the causes and effects of a changing climate on our district; and
- (e) recommends that these issues be looked at by the Environmental and Planning Services Standing Panel and that consideration be given to the signing of the Nottingham Declaration.

98. QUESTIONS BY MEMBERS UNDER NOTICE

- (a) To any member of the Cabinet
- (i) M11 Motorway Junction 5 North facing slip roads
- By Councillor R Frankel to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder

"As a result of the scheme to widen the M11 motorway, and in view of the comments made by Eleanor Laing, MP, what does the Portfolio Holder think that the Council's view should be on proceeding with north facing slip roads at Junction 5 on the M11?"

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

"Firstly, it should be noted that the present consultation about widening of the M11 is in respect of Junctions 6 to 8, and not the length of motorway which includes the present Junction 5 in Loughton.

However, in order to provide an answer to the Member's question, in September 1993 the Council's Transportation Committee agreed to submit a holding objection to the proposed Junction 5 north facing slip roads on the grounds of the environmental impact on the surrounding area, uncertainties regarding the provision of motorway lighting and insufficient funding being available for local traffic safety and calming measures. The Transportation Committee agreed to maintain that position at its meeting in March 1994. In April 1994 Council resolved to maintain its objections to the proposals based upon the evidence of consultants (Travers Morgan) and to continue discussions with the Highways Agency on funding for local traffic management.

The Government did eventually agree a scheme for the slip roads, which was in their roads programme for a while, and which did not resolve our concerns. The scheme was subsequently dropped from the roads programme and our Local Plan, and whilst the land for the east side north facing slip remains undeveloped, the Kier building has been built on the west side position. Any re-introduction of the scheme would therefore have to find a new west side arrangement, and would have to be cognizant of the special area of conservation in Epping Forest and the potential impacts thereon; for example traffic seeking to avoid an incident on the M25/M11 junction by leaving M25 at Junction 26 and using forest roads to get to Junction 5 of M11.

Furthermore, the signalised junction at Langston Road, Chigwell Lane and Oakwood Hill is operating well beyond its designed capacity and it is difficult to see what might realistically be done to increase the capacity of this complex junction. Further developments are underway which are likely to exacerbate this situation.

It is likely therefore that under these circumstances, unless steps could be taken to overcome these fundamental difficulties, the concerns which existed back in the mid-1990s would pertain again".

(ii) Loughton Station Precinct – Waste

By Councillor K Angold-Stephens (supported by Councillors P House, A Lee and S Murray) to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder.

"Last October, local councillors, representatives from Environmental Services, the contractor, Cory's, and the Portfolio Holder met at Loughton Station to consider ways to solve the mounting accumulation of waste behind the bus stops in Loughton Station precinct; the division of ownership between the Council and London Underground Limited (LUL) was highlighted and it was agreed that Environmental Services would commence immediate negotiations with LUL on the way forward; since then the rubbish has continued to accumulate and no negotiations with LUL have taken place; the area constitutes a health hazard with increasing reports of rats being seen and is an unsightly introduction for visitors to the area; whilst we

recognise that the new waste contract has been a priority for Environmental Services, it is vital other urgent work is not neglected as a consequence; it is now six months since the on-site meeting agreed a way forward; will the Portfolio Holder ensure that negotiations with LUL commence without further delay and a solution found to this mounting problem?"

Response by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder

"Although the Council's duty is only to cleanse land which is designated as, and has been adopted as, public highway, the rubbish referred to has been removed by the Council in order to deal with the immediate situation referred to by the local members.

I recognise that the current situation is unsatisfactory. It is unfortunate that time has not been found in recent months for negotiations with London Underground, but this, as the members suggest, has reflected the need for officers to deal not only with the letting of the new waste management contract but also the completion of the implementation of the wheeled bin system across the district.

Now that the new system is in place and the tender documents issued, I have instructed officers to make immediate contact with London Underground to arrange a meeting on site to determine how best to proceed. A key issue for the discussions with London Underground will be to establish the ownership/control of the land in question since it is this which determines ultimate responsibility for litter clearance etc. I also believe that a representative of London Underground is scheduled to attend the next meeting of the Overview and Scrutiny Committee on 7 June, when there will be a further opportunity to discuss with them the management of this problem.

Once land ownership/control has been established, the Council does have powers under the Clean Neighbourhoods and Environment Act 2005 to commence formal proceedings should local discussions not bring the desired improvements".

99. REPORTS OF THE CABINET

(a) Calendar of Meetings – 2007/08

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance and Performance Management Portfolio Holder to present this report of the Cabinet.

(Mover: Councillor J Knapman – Finance and Performance Management Portfolio Holder)

The Portfolio Holder reported that since the calendar had been considered by the Cabinet it had been realised that a meeting of the Housing Appeals and Review Panel had been scheduled for the same day as full Council on 28 June 2007. To overcome this conflict, he invited the Council to move the Housing Appeals and Review Panel meeting to 26 June 2007.

Report as amended **ADOPTED**

RESOLVED:

That the calendar of meetings for the period May 2007-May 2008 be adopted as set out in Appendix 1 to these minutes.

(b) Supplementary Estimates and Virement – 2007/08

By leave of the Council, the Chairman of the Council determined that item 10(b) on the agenda be combined with item 10(d) on one of the supplementary agenda.

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

(Mover: Councillor J Knapman – Finance and Performance Management Portfolio Holder)

The Portfolio Holder submitted requests for supplementary estimates and a virement.

Report as first moved ADOPTED

RESOLVED:

- (1) That a revenue DDF supplementary estimate of £26,000 be approved in order to fund a planning application, site studies and other associated costs in relation to the possible development of Council-owned car parks;
- (2) That, subject to ongoing discussions with Otto UK, an additional capital estimate in the sum of £240,000 be approved for the provision of wheeled bins to be financed partly by a virement from the general capital contingency (£105,000) and the remainder by way of a supplementary capital estimate of £135,000;
- (3) That a supplementary capital estimate in the sum of £800,000 be approved for the purchase of the fleet of former South Herts Waste Management refuse and street cleansing vehicles; and
- (4) That a revenue DDF supplementary estimate in the sum of £15,000 be approved to enable remedial works to be carried out to the boundary wall between the Council's land and 4 and 6 Buttercross Lane, Epping.

(Recorded in accordance with paragraph 15.5 of the Council Procedure Rules that Councillor S Murray voted against resolution (1))

(c) Draft Fuel Poverty Strategy

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Environmental Protection Portfolio Holder to present this report of the Cabinet.

(Mover: Councillor Mrs M Sartin – Environmental Protection Portfolio Holder)

The Portfolio Holder presented a report drawing attention to the duty placed on the Council to prepare and publish a strategy setting out the Council's policies for ensuring that as far as was reasonably practicable persons did not live in fuel poverty, including implementing measures to ensure the efficient use of energy.

Report as first moved ADOPTED

RESOLVED:

That the draft Fuel Poverty Strategy be adopted.

(d) Local Business Growth Incentive Scheme

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance and Performance Management Portfolio Holder to present this report of the Cabinet.

(Mover: Councillor J Knapman – Finance and Performance Management Portfolio Holder)

The Portfolio Holder presented a report on the second year of the Local Authorities' Business Growth Incentive Scheme.

Report as first moved ADOPTED

RESOLVED:

That £25,000 of the additional funding received be allocated to a programme of minor enhancement works in Waltham Abbey.

100. REPORTS OF OVERVIEW AND SCRUTINY

(a) 2006/07 Annual Report

(Mover: Councillor R Morgan, Chairman of the Overview and Scrutiny Committee)

The Chairman of the Overview and Scrutiny Committee drew attention to the annual Overview and Scrutiny report produced in accordance with Overview and Scrutiny Procedure Rule 24 of the Constitution. He advised that this was the second annual report to the Council under the regime instituted by the Council in April 2005, incorporating Scrutiny Standing and Task and Finish Panels.

Report as first moved ADOPTED

RESOLVED:

That the work undertaken by the Overview and Scrutiny Committee, the Scrutiny Standing Panels and the Task and Finish Panels during the past municipal year as detailed in the annual report be noted.

(b) Council Meetings – Regulation of Question Time and Review of Financial Regulations

(Mover: Councillor R Morgan, Chairman of the Overview and Scrutiny Committee)

By leave of the Council, Councillor Morgan amended the wording of recommendation (1)(c) with the inclusion of the words "at the discretion of the Chairman of the Council" after the words "dealt with".

Councillor Morgan reported on proposals for running the 20 minute session at Council meetings regarding questions by members without notice. He further reported that the Constitution and Members Services Scrutiny Panel would be reporting separately at this meeting following completion of a review of Financial Regulations.

Report as amended ADOPTED

RESOLVED:

- (1) That question time at Council meetings in respect of questions on Portfolio Holder/Chairman of Overview and Scrutiny Committee reports and unscripted questions be managed by the Chairman on the following basis:
- (a) the 20 minute period being allocated to both categories of question with no specific timings allocated to either;
- (b) the Chairman to be enabled to extend the period of 20 minutes by up to a further 10 minutes so as to ensure that all political groups and independent members may have their questions answered;
- (c) the Chairman of the Council to ensure that questions by members are dealt with at the discretion of the Chairman of the Council in the order in which they are put and that all questions from each political group and from independent members receive a reply; and
- (2) That completion of a review of Financial Regulations by the Constitution and Member Services Standing Scrutiny Panel being reported separately to this meeting be noted.
- (c) Report of Constitution and Member Services Standing Scrutiny Panel
- (i) Financial Regulations

(Mover: Councillor R Morgan, Chairman of the Constitution and Member Services Standing Scrutiny Panel)

The Chairman of the Constitution and Member Services Standing Scrutiny Panel reported that the Panel was reporting direct to the Council with the consent of the Overview and Scrutiny Committee in order to ensure that the financial regulations were updated as soon as possible in the new financial year.

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet reported that the Cabinet had reviewed the proposals and was supporting the recommendations of the Panel.

Report as first moved **ADOPTED**

RESOLVED:

That the revised Financial Regulations be approved and incorporated into the Council's Constitution.

101. STANDARDS COMMITTEE

(a) Report of the Standards Committee

(Mover: Dr D Hawes, Chairman of the Standards Committee)

Dr D Hawes presented reports on:

- (i) Planning Protocol Review and
- (ii) Annual Report

Reports as first moved **ADOPTED**

RESOLVED:

- (1) That the proposed revisions to the Planning Protocol be adopted and drawn to the attention of Parish and Town Councils in the District; and
- (2) That the annual report of the Epping Forest District Standards Committee for 2006/07 be noted.

(b) Dr D Hawes

The Chairman of the Council advised members that Dr Derek Hawes, a founder member and the founder Chairman of the Standards Committee over the period 2001-2007 had decided to retire. The Chairman of the Council, the Leader of the Council, Councillors J Knapman, S Murray, J M Whitehouse and I Willett (on behalf of staff) expressed their appreciation for the work undertaken by Dr Hawes during his terms of office.

The Chairman of the Council made a presentation to Dr Hawes in recognition of his work.

Dr Hawes responded to the expressions of appreciation and good wishes.

(c) Vacancy – Report of the Standards Committee Selection Panel

(Mover: Councillor Mrs D Collins, Chairman of the Standards Committee Selection Panel)

Councillor Mrs Collins reported on the recruitment of a successor to Dr D Hawes.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That Mr M Wright be appointed to one of the three independent seats on the Standards Committee with effect from the resignation of Dr Derek Hawes, namely 17 May 2007;
- (2) That Mr B Spinks be designated as first reserve and offered this appointment should Mr Wright decide not to proceed; and
- (3) That arrangements be made for Mr Wright to receive appropriate training before he takes up his appointment.

102. REPORT OF THE TOP MANAGEMENT CABINET COMMITTEE

(a) Chief Executive – Job Description

(Mover: Councillor Mrs D Collins, Chairman of the Top Management Cabinet Committee)

Councillor Mrs Collins presented a report of the Cabinet Committee following consideration of a job description for the new position of sole Chief Executive.

Report as first moved ADOPTED

RESOLVED:

- (1) That the job description as set out in Appendix 2 to these minutes be approved; and
- (2) That the Chairman of the Cabinet Committee investigate a process for keeping the job description under constant review in the light of changing circumstances and also linking the job description with staff development reviews for the postholder.

103. AUDIT AND GOVERNANCE COMMITTEE - RECRUITMENT OF CO-OPTEES

Councillor Mrs D Collins, Leader of the Council, reported that the Council had appointed a Panel of Members at its February 2007 meeting to supervise the recruitment process in respect of the two co-optee seats on the Audit and Governance Committee.

At the time of preparation of the agenda for this meeting no applications had been received following public notice inviting applications and, accordingly, the Panel had not met. However, within the last few days, an application had been received and the applicant was considered eligible for consideration. She invited the Council to consider amended recommendations set out on one of the supplementary agenda.

RESOLVED:

- (1) That the late receipt of an application for one of the co-optee seats on the Committee be noted;
- (2) That a new Panel comprising Councillors Mrs D Collins (Chairman), R Morgan, Mrs P Smith, C Whitbread and a Liberal Democrat Group nomination to be advised by the Leader of that Group be appointed to interview the applicant and make recommendations to the Council at the Annual Council meeting;
- (3) That, in order to facilitate the timetable under (2) above, a meeting of the Panel be convened on 10 May 2007 at 4.00 p.m.;
- (4) That the terms of reference of the new Panel be the same as that agreed for the previous Panel; and
- (5) That an appointment to the second co-optee seat be dealt with by the Audit and Governance Committee once established.

104. DISTRICT AND PARISH REMUNERATION PANELS

Councillor Mrs D Collins, Leader of the Council, reported that Mr M Donn had given notice to the Council that he wished to resign his seat on the Independent Remuneration Panels at the earliest convenient date. She invited the Council to consider arrangements for the filling of this vacancy.

RESOLVED:

- (1) That the resignation of Mr M Donn from membership of the District and Parish Remuneration Panels with effect from 31 May 2007 be noted;
- (2) That the arrangements for filling this vacancy be delegated to the Joint Chief Executives subject to Group Leaders being advised of the proposed appointment and being given an opportunity to comment; and
- (3) That the Council's appreciation of the work undertaken by Mr Donn as a member of the two Panels for this District over the past six years be recorded.

105. CALL-IN AND URGENCY - WASTE MANAGEMENT SERVICE AND CAR PARKING ENFORCEMENT CONTRACT

The Council noted that paragraph 21 of the Council's Overview and Scrutiny Rules in the Council's Constitution provided for the setting aside of the call-in procedure in relation to urgent matters. The paragraph also provided for these provisions to be monitored annually with a report submitted to Council with proposals for review, if necessary.

The Council received a report on decisions taken regarding the Waste Management Service and the Car Parking Enforcement Contract.

RESOLVED:

- (1) That the setting aside of the call-in procedure in relation to the decisions taken on 15 March 2007 and 5 April 2007 relating to the Waste Management Service and the Car Parking Enforcement Contract respectively be noted: and
- (2) That no review be undertaken at this time in relation to the setting aside of the call-in arrangements.

106. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor Mrs D Collins, Leader of the Council, encouraged members appointed by the Council to outside organisations to make oral reports to the Council under this item on matters discussed at meetings of those organisations.

Councillor Mrs Collins reported on her attendance at a meeting of the Essex Local Government Association at which there had been a discussion on Local Area Agreements. She pointed out that it would be necessary for the District Council to achieve its targets and to work with the County Council in order to ensure that all available government funding was received.

Councillor Mrs Collins also reported on her attendance at a meeting of the West Essex Forum. At that meeting, a report had been made on the intention of BAA to fund the widening of the M11 from three to four lanes from the M25 junction to the Stansted Airport junction. The report had also indicated that, in the event of permission being granted for a second runway, there was a possibility of proposals coming forward to widen the motorway to three lanes north of the Stansted junction. Councillor Mrs Collins advised that BAA appeared to have no knowledge of the need for a new junction in the vicinity of Sawbridgeworth and she had drawn this to their attention. However, in subsequent discussions with the County Council, it had been suggested that BAA were aware of this possibility but had indicated that they were not prepared to fund it.

Councillor B Sandler reported on his attendance at 'Fit for the Future' meetings regarding the future of NHS facilities in the south of the District. He advised that discussions were still taking place regarding the future of King George and Whipps Cross hospitals and, together with his deputy, Councillor R Church, he continued to make representations to secure the retention of both establishments. However, changes would be necessary and were likely to be subject to public consultation later in the year.

Councillor J Knapman reported that all the necessary permissions had been granted and legal agreements completed in relation to the development of Grange Farm. He advised that it was possible that the football pitches and park forming part of the development would be available in the summer of 2009.

107. COUNCILLORS NOT SEEKING RE-ELECTION

By leave of the Council, Councillor Mrs D Collins referred to members of her Group not seeking re-election on 3 May 2007. She advised that Councillor S Metcalf had been a member for five years and had been one of the first Portfolio Holders with responsibility for ICT. He had subsequently taken on other responsibilities including the Waste Management Contract. She thanked him for all of the work which he had undertaken. Councillor Mrs Collins advised that Councillor D Spinks had been a member for thirteen years in two spells. He also had been one of the first Portfolio Holders and she thanked him for his contribution to the Council. She advised that in recent months had been very seriously ill but he would continue to be a member of the Waltham Abbey Town Council having been returned unopposed. Councillor R Haines would be leaving the Council after four years and Councillor Mrs Collins paid tribute to his excellent work as a ward councillor.

Councillors S Murray and J M Whitehouse acknowledged the contributions made by the three members. Councillor J M Whitehouse was advised that Councillor R Goold would not be seeking re-election. He reported that Councillor Goold had been a member for a significant number of years and had been a good source of advice and ideas.

Councillors R Haines and S Metcalfe thanked members for their comments and expressions of good wishes. Councillor Haines also thanked officers, especially the Head of Research and Democratic Services and his team, for advice which they had given him during the years.

108. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(a)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information.

Agenda information Item No. numbers	Subject	Exempt Paragraph
19	Chief Executive - Salary Proposals and Contractual Terms	1 & 2

109. CHIEF EXECUTIVE - SALARY PROPOSALS AND CONTRACTUAL TERMS

Officers, except for T Tidey, I Willett and G Lunnun, left the meeting for this item.

Councillor Mrs D Collins, Chairman of the Top Management Cabinet Committee reported on salary proposals and contractual terms for the new post of Chief Executive.

Report as first moved ADOPTED

RESOLVED:

- (1) That the post of Chief Executive be established at the salary level recommended by HAY Management Consultants including a salary premium of 15% to reflect the fixed term nature of the contract:
- (2) That the post of Chief Executive be offered to the current holder of the post of Joint Chief Executive (Resources) on a fixed term basis from 1 August 2007 to 31 July 2010;
- (3) That the Contract of Employment provided to the new Chief Executive be approved including a provision for review by either party at the end of the first eighteen months of its operation;
- (4) That, if the contract is terminated at mid-term review by:
- (a) the Council, the new Chief Executive shall be paid either severance under terms at least no less favourable than are currently available under the Council's Severance Scheme, or payment of salary outstanding for the remainder of the contract period, whichever is the greater; or
- (b) the new Chief Executive, his entitlement to severance payment, if any, shall be determined at the sole discretion of the Council at that time; and

(5) That, if either options (4)(a) or (4)(b) apply, the new Chief Executive shall be entitled to receive immediate payment of pension benefits at the conclusion of his contractual notice period, without actuarial reduction.

CHAIRMAN

Meeting	May	June	July	August	September	October	November	December	January	February	March	April	Мау
Council	17 th Annual	28 th	24 th			30 th		18 th		Budget 19 / 21		22 nd	Annual 15 th
Cabinet		11 th	16 th		3 _{rd}	8 _{th}	12 th	₄ ,21		4 th	10 th	14 th	
Overview and Scrutiny													
O & S Committee		7 th	12 th	30 th		4 th	8 th	13 th	31 st		e _{th}	10 th	
O & S Agenda Planning Group	23 rd	27 th		15 th	19 th	17 th	14 th		16 th	20 th	19 th		
O & S Standing Panels													
Housing			5 th			25 th			22 nd			21 st	
Constitutional & Member Services		5 th	30 th			11 th		11 th		12 th		28 th	
Finance & Performance Management/Customer Services and ICT.		19 th		14 th			13 th		14 th	11 th			
Environmental & Planning		26 th			5 th	29 th		20 th		28 th		23 rd	
Licensing Committee						10 th						16 th	
Licensing Sub-Committee		7 th	5 th	2 nd	6 th	4 th	1 st	_ф 9	10 th	7 th	e _{th}	3 rd	IVI
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As at 29 January 2007.

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EFDC Calendar of Meetings 2007/08

Meeting May June July	May	June	July	August Septe	September	October	November	December	January	February	March	April	oril May
Plans 'South'*	23 rd	20 th	18 th	15 th	12 th	10 th	щ2	ųS	ф6	щ9	5 th	2 nd	
Plans 'East'*	30 th	27 th	25 th	22 nd	19 th	17 th	14 th	12 th	16 th	13 th	12 th	9 th	
Plans 'West'*		9 _{th}	4 th	1 st / 29 th	26 th	24 th	218t	19 th	23 _{rd}	20 th	19 th	16 th	
District Dev. Control		12 th		7 th		9 th		4 th		5 th		15 th	
Housing Appeals		26 th	16 th	23 rd	20 th	18 th	25 _{nd}	20 th	ηΔt	14 th	20 _{th}	u _t L1	
Standards Committee			4 2 1			16 th				26 th		8 _{th}	
Cabinet Finance Cttee.		18 th			24 th		դ61	10 th	28 _{th}		η ∠ Ι		
Audit & Governance Cttee.		25 th			13 th		ųS		_{ut} 08		31 st		
CC			19 th		20 th				17 th			3 rd	
Local Council Liaison Committee		13 th					28 th				26 th		

Key:

Daytime Meeting

*Area Plans explanation:
Area Plans 'South' was Plans 'A'
Area Plans 'East' was Plans 'B' & 'C'
Area Plans 'West' was Plans 'D'

APPENDIX 2 EPPING FOREST DISTRICT COUNCIL JOB DESCRIPTION

JOB TITLE: CHIEF EXECUTIVE POST NO:

SERVICE: N/A SECTION: N/A

GRADE: CAR ALLOWANCE: Essential

POLICE CHECK: No

PURPOSE OF THE JOB:

To provide leadership in the strategic management of the Council with the objective of achieving its vision, priorities, policies and aims.

To be the head of paid service and ensure that the Council is organised efficiently and effectively to deliver excellent customer focused services.

DIRECTLY RESPONSIBLE TO: The Council through the Leader of the Council

DIRECTLY RESPONSIBLE Director level posts.

FOR:

LIMITS OF AUTHORITY:

See attached sheet.

MAIN DUTIES AND RESPONSIBILITIES:

Strategic management

- 1. To ensure that the Council's vision, priorities and aims are made a reality by providing a clear sense of direction, optimism and purpose and by marshalling the resources of the whole organisation to achieve these ends.
- 2. To be the Council's principal adviser on corporate strategy by setting a clear framework for the development and achievement of corporate policies and objectives and through working effectively with members through the Council's democratic structure.

Leadership

- 3. To be the head of paid service and to lead the corporate management team so that positive contributions are made by directors in the development and implementation of policies that will optimise service delivery to the people of the District.
- 4. To inspire, empower and develop the Council's workforce to secure a real sense of ownership of its vision and priorities, seek continuous improvement, encourage cross-council working and move decision making and responsibilities as close as possible to the point of service delivery.

5. To develop and maintain a flexible and focused organisation which is able to embrace, absorb and respond positively to changing requirements and priorities.

Partnership and Community Development

- 6. To lead the Council's commitment to working with a range of stakeholders (particularly the Local Strategic Partnership) with the aim of maximising opportunities to improve Council services and the quality of life for residents of the District.
- 7. To develop and maintain effective systems of consultation, community involvement and partnership working to achieve the Council Plan.
- 8. To promote the interests and image of the Council and enhance its influence in constructive relationships with key stakeholders in the community in government and other public bodies, the voluntary sector and in the business community.

Resource Management

- 9. To ensure that effective organisational structures and performance management systems are in place to plan, deliver and monitor strategic and service objectives.
- 10. To plan and keep under review the Council's budget strategy and other significant financial funding arrangements in line with the priorities agreed by the Council; to ensure that budgets are monitored and controlled and that there is clear accountability.

Working with Members

11. To have overall responsibility for the management of relationships between elected members, political groups and officers by establishing a clear understanding of roles and by developing and maintaining clearly understood procedures for converting policies into action within the constraints of propriety and legality.

Equality and Diversity

12. To provide the leadership, communication and action which will exemplify the Council's commitment to value diversity, ensure equality of opportunity and strengthen cohesion in the community.

POLITICALLY RESTRICTED POST:	YES
REHABILITATION OF OFFENDERS ACT 1974:	Not exempt
Signed:(Leader)	Date:
Signed:(Post Holder)	Date: