

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 28 July 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 11.00 pm

Members Present: Councillors Mrs P Smith (Chairman), Mrs A Grigg (Vice-Chairman), K Angold-Stephens, R Barrett, R Bassett, A Boyce, Mrs R Brookes, Mrs P Brooks, K Chana, Mrs S Clapp, A Clark, M Cohen, J Collier, M Colling, Mrs D Collins, Mrs A Cooper, D Dodeja, P Gode, Mrs A Haigh, J Hart, D Jacobs, Mrs J Lea, J Markham, Mrs M McEwen, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, G Pritchard, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, P Turpin, H Ulkun, Mrs L Wagland, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors D Bateman, Miss R Cohen, R Frankel, Mrs R Gadsby, Mrs H Harding, Ms J Hedges, J Knapman, R Law, W Pryor and Mrs J Sutcliffe

Officers Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), S G Hill (Senior Democratic Services Officer), J Boreham (Assistant Public Relations and Information Officer) and D Clifton (Principal Housing Officer [IT])

37. WEBCASTING INTRODUCTION

Mr I Willett, Assistant to the Chief Executive, reminded all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

38. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 30 June 2009 be taken as read and signed by the Chairman as a correct record.

39. DECLARATIONS OF INTEREST

There were no declarations of interest by members of the Council under this item.

40. ANNOUNCEMENTS**(a) Announcements by the Chairman of the Council**

The Chairman, Councillor Mrs P Smith, reported on her recent activities which included:

- (a) Epping Forest College Learner Awards;
- (b) Limes Farm Festival Day;
- (c) Jack Petchey Awards at Waltham Abbey Town Hall;
- (d) Race for Life at North Weald Airfield;
- (e) Opening of New Playground at Hoe Lane, Nazeing.

The Chairman also reported that she had attended the funeral of former Councillor Malcolm Woollard.

The Chairman announced that Councillor David Bateman and Mick Merrick former Chief Works Officer had recently been hospitalised and that she would be writing to them.

The Chairman advised that she would be sending the flowers from tonight's Council meeting to the Recycling and Waste Management Office at Langston Road in recognition of the work undertaken in relation to the new food and garden recycling service.

The Chairman drew attention to the forthcoming annual petanque match between the District Council and Epping Town Council to be held on 8 August 2009. She reported that the District Council team would comprise Councillors Mrs A Haigh and D Stallan and that the Vice-Chairman of the Council would be in attendance.

(b) Announcements by the Leader of Council and other Cabinet Members

There were no announcements made by the Leader of Council or Cabinet Members under this item.

41. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions for this meeting.

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

The Council received reports from the Leader of the Council, the Chairman of the Overview and Scrutiny Committee and Cabinet Portfolio Holders.

(a) Leader of the Council

Councillor Mrs Collins reported that she had also attended the Epping Forest College Learners Celebration presentation. In relation to her nomination as a full member of

the Board of the College she had been invited for an interview which was to be held shortly.

The Leader of the Council also referred to her attendance at the Coopersale Hall School Speech Day and the Essex Conference of Local Strategic Partnerships held at Colchester.

The Leader also referred to her interview with Audit Commission officers in relation to the Council's Use of Resources and advised that she was to meet with officers from East of England Regional Assembly (EERA) in connection with the performance of the Local Strategic Partnership.

(b) Community Safety and Transport Portfolio Holder

Councillor Ms S-A Stavrou, the Portfolio Holder for Community Safety and Transport advised that there had been some increase in crime in the District but that the figures were still below those of the previous year and that close working was taking place with Safer Communities partners to seek a reduction in the current level. The Portfolio Holder advised that there had been a reduction in burglaries following a high visibility police operation last weekend.

Councillor Ms Stavrou reported that Epping had recently established a Neighbourhood Action Panel and that is a result of the initiative of the Community Safety Team of a Farmers' Neighbourhood Action Plan (NAP) initiative the Council was still being approached by others for advice on setting up similar projects in other parts of the country.

The Portfolio Holder reported that there had been a huge response to the parking reviews and that all of the information received was being collated and reviewed by Essex County Council Highways officers. Following that process the proposals would be returned to the District Council for consideration by the Local Highways Panel before formal Traffic Regulation Orders were made. Councillor Ms Stavrou advised that the Buckhurst Hill consultation was due to go out in the first week of September and that the Loughton Broadway consultation would go out on 29 September 2009.

The Portfolio Holder reported that the first meeting of the Local Highways Panel had taken place and that officers were refining the Overview and Scrutiny Pick system for members to put forward suggested works for 2011/12. The Portfolio Holder advised that the programme for 2010/11 was already in place. The meeting noted that the committee format for the Local Highways Panel was agreed by the District Council would remain in being for one year after which it would be reviewed.

(c) Environment Portfolio Holder

Councillor Mrs M Sartin, Environment Portfolio Holder, drew attention to the road show about the new food and garden waste recycling service which had been held in the Civic Offices car park during the day and early evening.

The Portfolio Holder advised that she would be visiting the Langston Road Offices next week and Loughton Broadway in the near future to view the completed works.

43. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) New Food and Garden Waste Recycling Service Road Shows**

Councillor Mrs P Brooks asked the Environment Portfolio Holder how the road shows had been advertised and what response there had been to the road shows held to date.

Councillor Mrs M Sartin, Environment Portfolio Holder, advised that the road shows had been advertised on Town and Parish Council notice boards and that the bin hanger which had been distributed to all households had provided a telephone number for information on the road shows. She advised that the overall impression gained from the road shows held to date was that residents were generally in favour of the proposals although officers had been asked many questions and had answered concerns.

(b) Parking Reviews

Councillor J M Whitehouse asked the Community Safety and Transport Portfolio Holder when members would be given a further opportunity to comment on the proposals prior to the making of formal Traffic Regulation Orders. He pointed out that there was likely to be little time to call a meeting of the Local Highways Panel and he asked if a date had yet been set for the next meeting.

Councillor Ms S-A Stavrou, Community Safety and Highways Portfolio Holder, asked Councillor R Bassett, Chairman of the Highways Panel to answer this question. Councillor Bassett advised that many more responses had been received than anticipated. He gave an assurance that every member of the Highways Panel would get copies of the relevant documentation in time for the meeting of the Panel. He pointed out that this was an extra consultation stage which had been included at the request of the District Council and that this was involving a lot of work with the Highways officers. He confirmed that he was anxious for there to be further member input before formal Traffic Regulation Orders were made.

Councillor J M Whitehouse asked if ward councillors could receive the papers in addition to members of the Highways Panel.

Councillor Bassett confirmed that this would be possible but pointed out that the electronic file was likely to be very large.

(c) Procurement

Councillor Mrs J H Whitehouse asked the Finance and Economic Development Portfolio Holder if he was aware of the complicated process which had to be followed by officers in order to place a new supplier on the Council's ordering system.

Councillor C Whitbread, Finance and Economic Development Portfolio Holder, advised that he had attended recently a meeting of the Chamber of Commerce at which concern had been expressed by local businessmen about the difficulties of engaging with the Council. He accepted the need for the ordering process to be simplified and confirmed that he would pursue the matter.

(d) Rents

Councillor Mrs P Richardson asked the Finance and Economic Development Portfolio Holder how the rent decrease for Council house tenants would affect commercial rents.

Councillor C Whitbread, Finance and Economic Development Portfolio Holder, advised that these were separate issues and the Government decision on the level of housing rents had no effect on commercial rents. He pointed out that the Cabinet had decided that every possible help should be extended to tenants of the Council's commercial and industrial properties by the Estates Section during the current economic downturn, including the facility to make weekly or monthly rent payments but that this decision had been called in and would now be considered by the Overview and Scrutiny Committee.

Councillor Stallan, Housing Portfolio Holder explained that originally for the current financial year the Government had increased the guideline rent for Council housing accommodation by 6.2% and had had advised that authorities could increase rents by up to 7%. This Council had considered such an increase excessive and had set the average rent increase at 4%. However, the Government in March of this year had reduced the guideline rent increase from 6.2% to 3.1% and on 20 April 2009 the Cabinet had decided to adjust the rent increase to achieve a reduced 3.1% increase.

(e) Waste Service Strategy

Councillor D Jacobs referred to the question he had asked at the Council meeting on 28 April 2009 about the apparent discrepancy in the allocation by the County Council of funding (both revenue and capital) to waste collection authorities in order to achieve higher recycling (including food waste) required by the strategy. He asked the Environment Portfolio Holder if she had yet received a response from the County Council in relation to the representations which had been made about this apparent discrepancy.

Councillor Mrs M Sartin, Environment Portfolio Holder, advised that both herself and the Director of Environment and Street Scene had attempted without success to arrange a meeting with the County Council Portfolio Holder. Councillor Mrs Sartin said she was frustrated with the lack of response from the County Council and confirmed that she would continue to press for a meeting.

(f) Waste Collection Service

Councillor Mrs R Brookes referred to the steps taken by a former Council Portfolio Holder to respond to the large number of enquiries received at that time in relation to changes to the Waste Collection Service. She asked the Environment Portfolio Holder if she had any plans for providing increased resources in the Environment and Street Scene Directorate and for the Council's Switchboard in order to answer the large number of telephone calls now being received about the further changes to the service. She said that she had been informed that one enquirer had been left waiting on the telephone for 10 minutes before being able to speak to an officer.

Councillor Mrs Sartin, Environment Portfolio Holder, said she was aware that officers were receiving a large number of telephone calls. She said she did not know how the number of calls currently being received compared with the number received by former Councillor Metcalfe. Councillor Mrs Sartin pointed out that approximately 200 telephone calls per day were being received by the Environment and Street Scene Directorate but 50% of those related to problems with wasps. She pointed out that

the length of time taken to answer calls was not due to the volume of calls but to the length of reply required for each one.

(g) Marketing Exercise – Church Hill Car Park, Loughton

Councillor J Markham referred to the Cabinet decision taken on 8 June 2009 to authorise the Director of Corporate Support Services in consultation with the Portfolio Holder for Legal and Estates to re-offer the Church Hill Car Park site on the open market, either as a freehold sale or as a long lease agreement. He asked the Legal and Estates Portfolio Holder what progress was being made as he understood negotiations were taking place with two potential purchasers.

Councillor M Cohen, Legal and Estates Portfolio Holder expressed the need for caution in discussing this matter in public in view of commercial sensitivity. He advised that expressions of interest had been received but that negotiations were at an early stage. He assured Councillor Markham that the final decision on this matter would be taken by members including the determination of any detailed planning permission.

(h) The Broadway, Loughton

Councillor S Murray drew attention to the difficult trading conditions for traders in The Broadway due to the current recession and the problems which had arisen whilst the Enhancement Schemes had been undertaken. He suggested that the Cabinet had taken an unfortunate decision in not agreeing to a Rent Deferral Scheme and asked the Leader of the Council and the Finance and Economic Development Portfolio Holder if they agreed the Council should do more to help the traders.

Councillor Mrs Collins, Leader of the Council advised that the enhancement works had been completed and were considered a huge success. She said the Cabinet had tried to help traders in The Broadway as much as possible and it should be appreciated that there were other Council owned shopping areas which were also suffering during the current recession. Councillor Mrs Collins stated that the Council was working successfully with The Broadway Town Centre Partnership and she pointed out that the former Woolworths store was the only current vacant property in The Broadway. In the circumstances she suggested it was unfair for any criticism to be levelled against the decisions of the Cabinet in this matter.

Councillor C Whitbread, Finance and Economic Development Portfolio Holder reiterated that the Council had done everything possible to help the traders and members needed to be aware of the situation for businesses across the whole District. He acknowledged that the traders at The Broadway had worked hard to survive the current recession and the problems caused by the enhancement works and said that the Cabinet had attempted to offer every possible help to those tenants whilst minimising the potential risk for loss of income to the Council.

(i) Camberwell Fire

Councillor Mrs E Webster referred to the fire at Lakanol House in Camberwell on 3 July 2009 and sought an assurance from the Housing Portfolio Holder that this Council's blocks of flats throughout the District and, particularly those in Waltham Abbey were in a good condition, were checked regularly and were fire compliant. She advised that many of the residents of these flats were old or vulnerable tenants.

Councillor D Stallan, Housing Portfolio Holder, advised that in 2006 the Council had undertaken a fire risk assessment in each of its blocks of flats, as well as in each of

its Sheltered Accommodation Units. Recommendations to reduce the risk of spread of fire that had come out of those risk assessments had been actioned. He said that he was aware of the seriousness of the Camberwell incident and understood that a report on the incident was to be submitted to the Secretary of State. He assured members that any necessary appropriate action arising from that report would be taken by this Council. Councillor Stallan also advised that in an attempt to give further reassurance to tenants, in conjunction with the Essex Fire and Rescue Service, the Council was preparing an information leaflet which listed a range of do's and don'ts. He reported that this leaflet would be delivered to every Council property with the rent decrease letter which was due to be delivered from 30 July 2009. He asked all members to take every opportunity to ensure that tenants were aware of the leaflet and to encourage them to raise any specific concerns with the Housing Directorate. Councillor Stallan also drew attention to the free Home Fire Safety visit offered by the Essex Fire and Rescue Service.

(j) Construction of New Properties/Improvement of Existing Properties

Councillor Mrs A Haigh drew attention to the central Government announcement that funds should be diverted to building more new homes. She also drew attention to the concerns expressed by some London Borough Councils about the affect of prioritising resources for that purpose at the expense of funding improvements to existing properties. She asked the Housing Portfolio Holder if he shared the concern of the London Borough Councils.

Councillor D Stallan, Housing Portfolio Holder said that he was aware of the concerns expressed by the London Borough Councils but he had not yet spoken to officers about the possible implications of the central Government announcement for this Council. He advised that the issue would be referred to the Housing Scrutiny Panel and suggested that a balance needed to be achieved. Councillor Stallan suggested that the London Borough Councils who had expressed concerns possibly faced greater problems with their current housing stock than this Council. He added that it was unfortunate central Government had chosen to transfer existing funds to this initiative rather than making available additional resources.

(k) Waste Service Road Show

Councillor Mrs J H Whitehouse drew attention to the size of the refuse freighter which had been present at the exhibition held during the day in the Civic Offices car park. She questioned whether a vehicle of that size could easily negotiate all of the roads in the District and asked the environment Portfolio Holder if smaller freighters were available.

Councillor Mrs M Sartin, Environment Portfolio Holder stated that the freighter which had been on display should be able to reach most properties in the District. She pointed out that the greater use of smaller freighters would lead to increased costs and environmental issues. Councillor Mrs Sartin added that a smaller vehicle was available for certain locations such as the Roydon Mill Mobile Home site to which there was restricted access.

(l) Citizens Advice Bureau

Councillor Mrs P Richardson suggested that the Citizens Advice Bureau were unable to cope with demand at present and asked the Leader of the Council if the Council could offer more assistance.

Councillor Mrs Collins, Leader of the Council, stated that the Council was generous with its funding of the Citizens Advice Bureau which was a lot more than that provided by many other local authorities. For the current financial year approximately £115,000 had been provided and the Citizens Advice Bureau had been advised that a further approach should be made to the Council if it was running into financial difficulties. She pointed out that the Citizens Advice Bureau had not sought any additional support.

44. CABINET - LEISURE AND WELLBEING PORTFOLIO HOLDER

By leave of the Council, the Chairman advised that she proposed to take this matter as the next item of business.

Members noted that on 6 July 2009, Councillor Mrs H Harding had resigned as Leisure and Wellbeing Portfolio Holder. On 7 July 2009, the Leader of the Council had appointed Councillor B Rolfe in place of Councillor Mrs Harding.

RESOLVED:

That the resignation of Councillor Mrs H Harding as Leisure and Wellbeing Portfolio Holder and the appointment by the Leader of Councillor B Rolfe to that position be noted.

45. MOTIONS

There were no motions to be considered at this meeting.

46. QUESTIONS BY MEMBERS UNDER NOTICE

There were no questions by members of the Council under notice in respect of this item.

47. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - HOUSING TREE MAINTENANCE BUDGET

Mover: Councillor D Stallan – Housing Portfolio Holder.

The Portfolio Holder submitted a request for a supplementary estimate.

Report as first moved **ADOPTED**

RESOLVED:

That, in order to complete the major tree work and shrub maintenance project on housing land at Ninefields, Waltham Abbey, a supplementary estimate for 2009/2010 in the sum of £38,000 to be funded from the Housing Revenue Account balances be approved.

48. REPORT OF THE CABINET - CAPITAL SUPPLEMENTARY ESTIMATE - PROVISION OF SPORTS HALL AT WALTHAM ABBEY SWIMMING POOL

Councillor Mrs D Collins, Leader of the Council advised that as Councillor B Rolfe had only recently been appointed Leisure and Wellbeing Portfolio Holder and did not have detailed knowledge of the background to this matter, the report would be moved by Councillor C Whitbread.

Mover: Councillor C Whitbread – Finance and Economic Development Portfolio Holder

The Portfolio Holder submitted a request for a capital supplementary estimate.

Report as first moved **ADOPTED**

RESOLVED:

That a supplementary capital estimate in the sum of £41,000 be approved to enable the proposal to build a Sports Hall at Waltham Abbey Swimming Pool to be progressed to the pre-planning stage.

49. LEISURE MANAGEMENT - CONTRACT MONITORING BOARD

Members were advised that at the Annual Council meeting on 21 May 2009 the Council had appointed members to the Leisure Management – Contract Monitoring Board. The membership had reflected the Council decision taken in May 2008 at which time it had been agreed that the Conservative Group nominees would be the then Portfolio Holders for Finance and Performance Management, Leisure and Young People and Civil Engineering and Maintenance.

The Council was informed that following the appointment of Councillor B Rolfe as Leisure and Wellbeing Portfolio Holder it was proposed that he be appointed to the Board in place of Councillor Mrs H Harding.

RESOLVED:

That Councillor B Rolfe be appointed as a member of the Leisure Management – Contract Monitoring Board in place of Councillor Mrs H Harding.

50. STAFF APPEALS PANEL

The Council was advised that Councillor K Chana had been appointed as Vice-Chairman of the Staff Appeals Panel at the Annual Council meeting. However, he had not been appointed a member of the Panel at that time and in order to ensure that the Panel was properly constituted it was necessary that he be appointed to a seat on the Panel in place of one of the other Conservative Group nominees.

Members were advised that Councillor B Rolfe had been appointed to the Panel at the Annual Council meeting as one of the Conservative Group nominees. However, following his subsequent appointment as a Portfolio Holder he was no longer able to be a member of the Panel.

RESOLVED:

That Councillor K Chana (the Vice-Chairman of the Panel) be appointed to the membership of the Staff Appeals Panel in place of Councillor B Rolfe.

51. REPRESENTATION ON OUTSIDE BODIES - EPPING FOREST CHILDREN AND YOUNG PEOPLE'S STRATEGIC PARTNERSHIP (CYPSP)

Members were advised that at the Annual Council meeting on 21 May 2009, the Council had appointed members to the Epping Forest Children and Young People's Strategic Partnership. The Conservative Group Nominee had been the then Leisure and Wellbeing Portfolio Holder, Councillor Mrs H Harding, whose responsibilities had included young people. Following the appointment of Councillor B Rolfe as Leisure and Wellbeing Portfolio Holder the Conservative Group had indicated they wished to change their nominee.

RESOLVED:

That Councillor B Rolfe be appointed to represent the Council on this partnership for the remainder of the current municipal year in place of Councillor Mrs H Harding.

52. NORTH WEALD AIRFIELD STRATEGY CABINET COMMITTEE

Members were informed that at the Annual Council meeting the Leader of the Council had reported that she had appointed five Portfolio Holders to form the North Weald Airfield Strategy Cabinet Committee. However as the terms of reference of the Committee included strategic matters relating to the recreational activities conducted at the Airfield, the Leader had since appointed the Leisure and Wellbeing Portfolio Holder as an additional member of the Committee.

The Council noted that in accordance with Section 100B(4) of the Local Government Act 1972 and Council Procedure Rule 2.1 (xi), the Chairman had deemed this item as urgent business in view of the need for all members to be aware of the Leader's decision.

RESOLVED:

That the appointment by the Leader of the Council of Councillor B Rolfe, Leisure and Wellbeing Portfolio Holder as an additional member of the North Weald Airfield Strategy Cabinet Committee be noted.

53. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Council was advised that the Overview and Scrutiny Committee on 9 July 2009 had considered a request from Essex County Council Health Overview and Scrutiny Committee to appoint a District Council representative to a Working Group of the West Essex Forum on GP Care in Waltham Abbey. Members noted that the Working Group was reviewing the impact of the changes to GP Care in Waltham Abbey following the sudden retirement of one of the local GPs and the provision of additional capacity to meet local needs and making recommendations which could help develop protocols to ensure that similar situations were handled better in future.

The Council noted that the Overview and Scrutiny Committee had indicated that Councillor Mrs R Gadsby would be their preferred representative on the Committee.

RESOLVED:

That the appointment of Councillor Mrs R Gadsby to attend future meetings of a Working Group of the West Essex Forum on GP Care in Waltham Abbey be confirmed.

54. EXECUTIVE - DELEGATED AUTHORITY TO OFFICERS

The Council was informed that the Leader of the Council had approved a schedule of delegated authorities to officers in respect of Cabinet services. The schedule would be issued shortly as updates to the Constitution on the website and to the paper binders.

RESOLVED:

That the approval by the Leader of the Council of a schedule of delegated authorities to officers in respect of Cabinet services be noted.

55. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Stansted Airport Community Trust

Councillor R Morgan, the Council's appointed representative on the Trust advised that he had attended a meeting recently at which the Annual Report of the Trust had been presented. He advised that the Trust met twice a year to consider applications for grants from organisations within a 10 mile radius of Stansted Airport which were met from noise penalties imposed on airlines. Councillor Morgan reported that in the last year £123,210 had been allocated.

In response to a question from Councillor S Murray, Councillor Morgan agreed to publish in the Council Bulletin a list of organisations within the Epping Forest District which had received grants within the last 12 months. Councillor Morgan also agreed in response to a question from Councillor G Pritchard to include in the Council Bulletin item a list of the parishes within the District which came within the 10 mile radius of Stansted Airport.

56. 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 paragraph of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

| Agenda Item No. | Subject | Exempt information and Paragraph Number |
|------------------------|---------------------------------------|--|
| 19 | Report from the Leader of the Council | 1 |

57. REPORT FROM THE LEADER OF THE COUNCIL - CONTRACT OF EMPLOYMENT (POST XEX/01)

A report of the Leader was tabled. The Chairman adjourned the meeting to enable members to read the report and all officers to leave the meeting. The meeting resumed without any officers present and the Council considered the report concerning this contract of employment.

RESOLVED:

- (1) That consideration of the matter be deferred; and
- (2) That the meeting be adjourned to a date to be determined by the Chairman of the Council.

CHAIRMAN