

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

- Committee:** Council **Date:** 3 November 2009
- Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.20 pm
- Members Present:** Councillors Mrs P Smith (Chairman), Mrs A Grigg (Vice-Chairman), R Barrett, R Bassett, A Boyce, Ms R Brookes, Mrs P Brooks, K Chana, Mrs S Clapp, A Clark, M Cohen, Miss R Cohen, Mrs D Collins, D Dodeja, R Frankel, Mrs R Gadsby, P Gode, A Green, J Hart, Ms J Hedges, D Jacobs, J Knapman, A Lion, Mrs M McEwen, R Morgan, S Murray, J Philip, Mrs C Pond, G Pritchard, W Pryor, Mrs P Richardson, B Rolfe, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, P Turpin, Mrs L Wagland, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt
- Apologies:** Councillors K Angold-Stephens, J Collier, M Colling, Mrs A Cooper, Mrs A Haigh, R Law, J Markham, G Mohindra, B Sandler, Mrs M Sartin and A Watts
- Officers Present:** P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), S G Hill (Senior Democratic Services Officer), P Seager (Chairman's Secretary), T Carne (Public Relations and Marketing Officer) and C Overend (Policy & Research Officer)
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83. WEBCASTING INTRODUCTION

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

84. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 29 September 2009 be taken as read and signed by the Chairman as a correct record.

85. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda items 9(b) (National Non-Domestic Rating Scheme – Amendments from 1 April 2010) and 9(d) (Queens Road Business Rates and Support for Town Centres). The Councillor advised that he had determined that his interest was not prejudicial and that he would remain in the meeting for consideration and voting on those matters.

(b) Pursuant to the Council's Code of Member Conduct Councillor C Whitbread declared a personal interest in agenda items 7(b) (Report of the Portfolio Holder –

National Non-Domestic Rating Scheme), 9(b) (National Non-Domestic Rating Scheme – Amendments from 1 April 2010 and 9(d) (Queens Road Business Rates and Support for Town Centres) by virtue of being a local businessman. The Councillor advised that he had determined that his interest was not prejudicial and that he would remain in the meeting for consideration and voting on those matters.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda item 12 (Joint Arrangements and External Organisations – Grange Farm Managing Trustees) by virtue of being one of the Council's appointed Trustees. The Councillor had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of that matter.

86. GRANGE HILL WARD BYE-ELECTION - 8 OCTOBER 2009

The Council noted that Councillor Alan Lion had been elected on 8 October 2009 to the casual vacancy for Councillor in the District Ward of Grange Hill. The Chairman reported that Councillor Lion had signed his Declaration of Acceptance of Office under the Local Government Act 1972.

The Chairman of the Council and the Leader of the Council welcomed Councillor Lion to his first Council meeting.

87. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

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

- (a) the "World's Biggest Riding Lesson" at the Chigwell Riding Trust at which her Royal Highness the Princess Royal had been present;
- (b) the Council's Civic Lunch held at Copped Hall Mansion;
- (c) the "Make Do and Mend" Exhibition held at the Epping Forest District Museum;
- (d) a celebration event to commemorate the completion of the development of affordable homes at 3 Raphael Drive – Loughton;
- (e) the Homestart AGM;
- (f) the Citizens' Advice Bureaux AGM;
- (g) the New Horizons Bowls Gala Day held at Epping Sports Centre;
- (h) the official opening of a play area at Elizabeth Close, Nazeing at which the Leisure and Wellbeing Portfolio Holder had also been present.

The Chairman drew attention to the following forthcoming events:

- (a) the Civic Carol Service at All Saints Church, Epping Upland on 11 December 2009; and

(b) a Quiz in aid of her charity to be held at Theydon Bois Village Hall on 19 February 2010.

The Chairman announced that together with other members she would be laying wreathes on behalf of the Council at numerous sites throughout the District on Remembrance Sunday. She reminded the other members laying wreathes to collect them from the Members' Room if they have not already done so.

The Chairman advised that she would be sending the flowers from tonight's Council meeting to former District Council Chairman Joan Davis who was recovering from a recent operation.

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

Councillor D Stallan, Housing Portfolio Holder reported that following the fire at Lakanal House in Camberwell a letter had been sent to all of this Council's tenants accommodated in flat blocks requiring removal of items from communal areas in order to ensure that fire escapes were not obstructed. He reported that in response a petition had been received signed by residents in Torrington Drive, Loughton objecting to the requirement to remove items such as curtains, pot plants and carpeting. Councillor Stallan advised that the petition would be dealt with under the Council's Petitions Procedure that he had already decided following liaison with the Chairman of the Housing Scrutiny Panel that the petition would be referred to that Panel for consideration. He would then take into account the views of the Scrutiny Panel before taking a further decision in relation to this matter.

(c) Small Business Engagement Accord

The Chairman welcomed Iain Wicks, Chairman of the Essex Federation of Small Businesses to the meeting and advised that he would sign together with her and Councillor C Whitbread, the Council's Business Champion, a Small Business Engagement Accord. The Chairman reported that the Accord was a voluntary code of practice for local authorities which sought to encourage more productive dialogue with local businesses, especially during the current recession. The Accord represented a commitment by local authorities to taking a proactive approach to engaging with businesses so that they were given the fullest opportunity to participate in the decision making process and to fully understand the reasons behind the final decisions taken.

The Chairman drew attention to the Accord's 14 principles as set out on the Council agenda.

The Chairman, Councillor Whitbread and Mr Wicks moved to the well of the Chamber to sign the Accord and have photographs taken.

Mr Wicks thanked the Council for inviting him to this meeting and for demonstrating its commitment to the principles of the Accord.

88. PUBLIC QUESTIONS (IF ANY)

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

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

The Council received written reports from the Chairman of the Overview and Scrutiny Committee, the Community Safety and Transport Portfolio Holder, the Environment Portfolio Holder, the Finance and Economic Development Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder and the Performance Management Portfolio Holder.

The Chairman invited the Leader, Chairman of the Overview and Scrutiny Committee and Members of the Cabinet to provide an oral report or an oral update of their written reports.

(a) Leader of the Council

Councillor Mrs Collins reported that she had attended a meeting held as part of the Local Development Framework Diagnostic provided by the Planning Advisory Service. She advised that some very useful guidance had been given which would enable the Council to move forward on this huge task.

The Leader also reported that she had attended the Uttlesford Local Strategic Partnership "Uttlesford Futures" together with the Council's LSP Manager.

The Council noted that since the last Council meeting the Leader had been appointed as Chairman of the Corporation Board of the Epping Forest College. Councillor Mrs Collins advised that she had attended earlier in the day a meeting forming part of the pre-inspection assessment and that a full Ofsted would take place at some time before March 2010. She summarised the performances which would be subject to the inspection and indicated the improvements being made by the College in order to reach an acceptable standard. She also drew attention to the possibility of the appointment of new Board Members.

The Leader also drew attention to her attendance at the launch of the new Epping Forest Youth Council, a Local Strategic Partnership Safeguarding Children event held at Chelmsford and a meeting with members of Harlow Council, Uttlesford District Council, East Herts District Council and Harlow Renaissance to discuss future developments for the expansion of Harlow.

(b) Community Safety and Transport Portfolio Holder

Councillor Ms S Stavrou drew attention to the Safer, Cleaner, Greener Scrutiny Panel held on 27 October 2009 which had been devoted to Crime and Disorder Scrutiny. She pointed out that the next meeting of that Panel to consider these matters would be held on 25 February 2010.

(c) Environment Portfolio Holder

In the absence of Councillor Mrs M Sartin, Environment Portfolio Holder, the Leader of the Council drew attention to the very encouraging figures for the first month of the new Waste Collection Service. She pointed out that the recycling level for the month of September which had included three weeks of the new service had been around 57% and that was for the first three weeks of the new service alone, the level had been just over 60%. She advised that there had also been a substantial reduction in the amount of waste going to landfill, with the first three weeks of the new service showing a 28% reduction. She thanked residents of the District for embracing the new service so whole heartedly.

(d) Legal and Estates Portfolio Holder

Councillor Cohen advised that he had no matters to report to this meeting. He pointed out that his Portfolio largely supported and supplemented others and he had previously reported on the work undertaken. He invited members to notify him about any specific matters within his Portfolio on which they would like more detailed information following which he would prepare a report for a future meeting.

(e) Performance Management Portfolio Holder

Councillor Bassett drew attention to the work being undertaken in relation to a review aimed at allowing the Council to maintain frontline service delivery yet getting better value for money and on a review of the improvement plans aimed at improving the Council's performance without putting a strain on budgets.

90. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Halloween**

Councillor S Murray asked the Community Safety and Transport Portfolio Holder if she had yet had an opportunity to thank the Police for the very successful operations they had undertaken last weekend as a result of which he had received no complaints about anti-social behaviour from his constituents.

Councillor Ms S-A Stavrou, Community Safety and Transport Portfolio Holder, stated that she had not yet had an opportunity to do but would do so shortly as she also considered the initiatives taken to have been a success.

(b) Conservative Party Meeting

Councillor S Murray invited the Leader of the Council to comment on the meeting held at Roding Valley High School on 26 October 2009.

Councillor Mrs Collins, Leader of the Council, advised that it had been a private meeting and she would not therefore be making any comment.

(c) Traffic Regulation Order – Theydon Bois

Councillor R Frankel asked the Community Safety and Transport Portfolio Holder to comment on the decision of the County Council not to include restrictions in Purlieu Way, Theydon Bois as part of the recent new Traffic Regulation Order.

Councillor R Bassett, Performance Management Portfolio Holder, advised that he would respond to this question as the matter had previously been within his former Portfolio. He stated there had been mixed views expressed about restrictions in this road. As a result the Parish Council had been invited to indicate their preference and the views of the Parish Council had been taken into account in making the final decision. He pointed out that steps could be taken to seek a reversal of the decision.

(d) Removal of items from communal areas in blocks of flats

Councillor Mrs P Richardson referred to the letter sent to tenants of Council flats requiring them to remove all items from communal areas in order to ensure that fire escape routes were not obstructed. She asked the Housing Portfolio Holder if the

deadline to remove items would be held in abeyance pending consideration of the petition which he had referred to earlier at this meeting.

Councillor D Stallan, Housing Portfolio Holder, stated that when he had been advised of the petition he had asked the officers to review the action which they had taken. He stated that reasonable steps would continue to be taken to remove items where fire escape routes were obstructed as the Council had a duty to residents under Health and Safety to ensure that there were no obstructions.

(e) Removal of items from communal areas in blocks of flats

Councillors Mrs P Richardson asked the Housing Portfolio Holder if residents would be allowed to keep carpets which had been placed within communal areas.

Councillor D Stallan, Housing Portfolio Holder stated that action would continue to be taken in relation to obstructions such as potted plants, pushchairs and bicycles.

(f) Loughton High Road – Replacement Trees

Councillor D Wixley asked when trees would be planted in Loughton High Road to replace those removed as part of the completed Enhancements Works. He added that he understood suitable trees had been identified to be put in during the current planting season.

Councillor Mrs A Grigg, Vice-Chairman of the Council, replied to this question as the matter had been considered by her in her former role as the appropriate Portfolio Holder. She said that since becoming Vice-Chairman of the Council she had continued to monitor this matter. She stated that locations had been identified and that trial holes would be bored later this month or in December and officers would be ensuring that trees were ordered in time for planting during the current season.

(g) The Broadway, Loughton – Financial Assistance for Traders

Councillor J Knapman asked the Finance and Economic Development Portfolio Holder if the traders in The Broadway had yet received their rent refunds as agreed at the last Council meeting.

Councillor C Whitbread, Finance and Economic Development Portfolio Holder advised that he would respond to the question in writing.

(h) Traffic Regulation Order – Theydon Bois

Councillor J Philip referred to the earlier question in relation to this matter and sought clarification that the decision taken against the views of the Parish Council had been a matter solely for the County Council.

Councillor Bassett repeated that differing views had been expressed by residents including a petition. It had been decided that the best way forward would be to seek the views of the Parish Council and in order for that to be undertaken there had been an extension of the consultation period. He repeated that steps could be taken to seek to reverse the decision.

Councillor Philip pointed out the view of the Parish Council had been that restrictions should be imposed but that the County Council had decided to revert to the results of the original consultation which supported no restrictions. He asked Councillor Bassett if he would discuss the matter with him.

Councillor Bassett agreed to discuss the issues with Councillor Philip.

91. MOTIONS

(a) Greensted Parish Ward

Moved by Councillor G Pritchard and seconded by Councillor Mrs D Collins:

“That this Council –

(a) notes the powers available to the District Council under the Local Government and Public Involvement in Health Act 2007 to conduct corporate governance reviews within the District, including arrangements for Parish Councils;

(b) notes that such reviews are designed to ensure that community governance is reflective of the identities and interests of the community in an area and is effective and convenient;

(c) notes that concerns have been expressed by residents of Greensted Parish Ward in the Ongar Town Council area that they have more affinity with surrounding rural parishes than the Town of Ongar;

(d) asks the Cabinet, or such other member body as has been established to deal with such reviews, to carry out reviews of the following:

(i) the current Parish Council boundary in the Greensted area;

(ii) whether the Greensted area would be better included in an adjoining rural parish;

(iii) whether there are any residential areas more suitable by reason for their inherent character to remain part of Ongar Parish;

(iv) consequential arrangements to Parish Council warding and polling arrangements arising from any changes agreed; and

(v) consequential changes to District Council boundaries and warding arrangements arising from those changes”.

Motion as first moved **ADOPTED**

RESOLVED: Accordingly

(b) National Non-Domestic Rating Scheme – Amendments from 1 April 2010

Moved by Councillor C Whitbread and seconded by Councillor Mrs D Collins

“That this Council –

calls on the Government to consider carefully the impact of the revaluation of business properties on businesses in the current economic climate and in setting the final terms of the scheme:

(i) reduces the multiplier to the greatest possible extent and in any event by at least 20%;

(ii) increases the scheme of transitional reliefs so that no business, regardless of size, should have a bill that is more than 2.5% bigger in 2010/2011 than their bill for 2009/2010;

(iii) doubles the limits that restrict entitlement to small business rate relief”.

In moving his motion, Councillor Whitbread thanked the Chamber of Commerce and officers for the help they were giving local businesses in relation to this matter and he referred to the forthcoming Business Seminar to be held on 11 November 2009. Councillor Mrs L Wagland in supporting the motion drew attention to the private rights of traders to challenge the process by way of appeals.

Motion as first moved **ADOPTED**

RESOLVED:

(1) That this Council –

calls on the Government to consider carefully the impact of the revaluation of business properties on businesses in the current economic climate and in setting the final terms of the scheme:

(i) reduces the multiplier to the greatest possible extent and in any event by at least 20%;

(ii) increases the scheme of transitional reliefs so that no business, regardless of size, should have a bill that is more than 2.5% bigger in 2010/2011 than their bill for 2009/2010;

(iii) doubles the limits that restrict entitlement to small business rate relief; and

(2) That Councillor Mrs L Wagland be invited to attend the Business Seminar on 11 November 2009 to advise those present of their rights to challenge the process.

(c) 10:10 Campaign – Cutting the Council’s Carbon Emissions

Moved by Councillor J M Whitehouse and seconded by Councillor R Frankel

“This Council resolves to:

(a) sign up to the 10:10 Campaign (www.1010uk.org) which calls for 10% greenhouse gas emission reductions by the end of 2010;

(b) seek to cut its emissions by 10% in 2010; and

(c) encourage other individuals, businesses and organisations in the Epping Forest District to do likewise”.

Motion as first moved **ADOPTED**

RESOLVED: Accordingly

(d) Queen's Road Business Rates and Support for Town Centres

Moved by Councillor P Spencer (in the absence of Councillor Mrs A Haigh) and seconded by Councillor Mrs J Sutcliffe.

"This Council:

(a) notes that traders in Queen's Road, Buckhurst Hill have been subjected to a massive increase in their business rates:

(b) recognises that whilst offering the ratepayers more time to pay the increased bills, it has no power to reduce the amount due;

(c) believes that traders would benefit from the advice and support of a Town Centre Manager, especially at this time of economic recession, and that the viability of the road as a trading centre needs all of the help that can be provided by the Council; and

(d) requests that the Cabinet provides temporary cover for the post of Town Centre Manager until the current postholder is able to return to work".

First Amendment moved by Councillor C Whitbread and seconded by Mrs L Wagland

"That the following paragraph be added to the motion:

(e) requests that the Overview and Scrutiny Committee considers asking the Valuation Officer to attend an early meeting of that Committee in order to provide a full explanation of the reasons for the massive increase in business rates for traders in Queen's Road, Buckhurst Hill and to answer members questions about this issue."

Adopted

Second Amendment Moved by Councillor J Knapman and seconded by Councillor Mrs R Gadsby

"That the word "appropriate" be inserted before the words "temporary cover" in paragraph (d)"

Adopted

RESOLVED:

That this Council:

(a) notes that traders in Queen's Road, Buckhurst Hill have been subjected to a massive increase in their business rates;

(b) recognises that whilst offering the ratepayers more time to pay the increased bill it has no power to reduce the amount due;

(c) believes that traders would benefit from the advice and support of the Town Centre Manager, especially at this time of economic recession, and that

the viability of the road as a trading centre needs all the help that can be provided by the Council;

(d) requests that the Cabinet provides appropriate temporary cover for the post of Town Centre Manager until the current postholder is able to return to work; and

(e) requests that the Overview and Scrutiny Committee considers asking the Valuation Officer to attend an early meeting of that Committee in order to provide a full explanation of the reasons for the massive increase in business rates for traders in Queen's Road, Buckhurst Hill and to answer members' questions about this issue.

92. QUESTIONS BY MEMBERS UNDER NOTICE

(a) Staff Vacancies

By Councillor J M Whitehouse to Councillor R Bassett, Performance Management Portfolio Holder

"Please list those posts on the establishment which are:

- (a) vacant;
- (b) have been vacant for three months or longer;
- (c) have been vacant for six months or longer.

Please identify which of the above posts are:

- (a) currently the subject of an active recruitment process;
- (b) currently have no activity planned;
- (c) are subject to a recruitment freeze."

Response read by Councillor R Bassett, Performance Management Portfolio Holder

"There are currently a total of 67 posts on the Establishment which are vacant.

Twenty have been vacant for less than three months, 13 have been vacant for more than three months and 34 have been vacant for more than six months.

Thirty five of the 67 vacancies are currently subject to an active recruitment process and 32 have no recruitment activity planned.

Of the 32 vacancies that have no recruitment actively planned:

- (a) thirteen are pending the Housing Repairs/Building Maintenance restructure and the reduction in craft workers;
- (b) three will not be recruited due to the Council withdrawing from the joint use agreement for Waltham Abbey Sports Centre;

(c) three are pending reviews of services in the Planning and Economic Development Directorate;

(d) one is subject to review in the Corporate Support Services Directorate.

None of the 67 vacancies is subject to a recruitment freeze. I will provide you with further details of the vacant posts and I will publish those details in the Council Bulletin.”

Supplementary Question by Councillor J M Whitehouse to Councillor R Bassett

Are the reviews to which you referred to be part of the current budget processes or for the future.

Reply by Councillor R Bassett, Performance Management Portfolio Holder

The reviews are ongoing and further vacancy opportunities may arise. Any proposals will go through the normal processes including meetings at which members will have an opportunity to express their views.

93. MRS H HARDING

The Council noted the resignation of Mrs H Harding from the District Council with effect from 30 September 2009. The Council was informed that notice had been received signed by two electors requesting an election to fill the casual vacancy and that an election was to be held on 5 November 2009.

94. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Grange Farm Managing Trustees

The Chairman of the Council, Councillor Mrs P Smith, as one of the Council's appointed Trustees reported on the activities of the Trust as requested at the last meeting. The Chairman advised of progress on the sporting and leisure aspects of the Grange Farm development, the current financial position of the Trust, the future plans of the Trust for financial assistance to charities/organisations in the area, and how the Trust advertised itself to local organisations engaged in sport and leisure activities so that they were aware of the funding potential.

Councillor S Murray requested that the Trust use its influence to regularise pedestrian access over the motorway bridge so that residents could be certain of the availability of that route.

Councillor J Knapman asked if there was a maximum amount which local organisations could request.

Councillor Mrs Smith said that she would take account of Councillor Murray's request. In relation to the question from Councillor Knapman she indicated that as far as she was aware there was not a maximum amount and that the criteria for assessing applications included the objectives of the organisation and the size of the project. Councillor Mrs Smith agreed to establish the exact position and advised that she would publish details in the Council Bulletin.

95. 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 Number	Subject	Exempt Information Paragraph Number
14	Contract of Employment – Post XEX/01	1

96. CONTRACT OF EMPLOYMENT - POST XEX/01

(All officers left the meeting)

The Leader of the Council made an oral report and members discussed the matter.

During the discussion, I Willett and G Lunnun were recalled to the meeting to advise on a matter of procedure. After giving advice they left the meeting again.

RESOLVED:

That the oral report of the Leader of the Council be noted.

CHAIRMAN