

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council – Extraordinary Meeting **Date:** 19 January 2010

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.35 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, Miss R Cohen, J Collier, Mrs D Collins, D Dodeja, R Frankel, Mrs R Gadsby, P Gode, A Green, Mrs A Haigh, Ms J Hedges, D Jacobs, J Knapman, R Law, Mrs J Lea, A Lion, J Markham, Mrs M McEwen, R Morgan, S Murray, J Philip, G Pritchard, W Pryor, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, P Turpin, Mrs L Wagland, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors M Cohen, Miss C Edwards, J Hart, G Mohindra and Mrs C Pond

Officers Present: D Macnab (Deputy Chief Executive), C O'Boyle (Director of Corporate Support Services), J Preston (Director of Planning and Economic Development), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), A Hendry (Democratic Services Officer) and T Carne (Public Relations and Marketing Officer)

120. WEBCASTING INTRODUCTION

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

121. FORMER COUNCILLOR W A (JIM) AXON

It was with much sadness that the Chairman informed the Council of the death of former District Councillor Jim Axon.

The Chairman of the Council reported on her attendance at the funeral together with Councillor R Morgan. Councillors A Watts, S Murray, R Morgan, R Frankel and Mr I Willett, Assistant to the Chief Executive, paid tribute to the memory of Jim Axon.

Members were informed that Jim Axon had been a member of the District Council for 17 years. He had been elected to represent the Theydon Bois Ward in 1979 and had been re-elected in 1980, 1984, 1988 and 1992. He had been elected Chairman of the Council in 1991/2 and had been appointed Vice-Chairman of the Council in 1990/1. During his terms of office he had also been Chairman of a Plans Sub-Committee and a member of many Committees, Sub-Committees and Panels.

The Council stood for a minute's silence in tribute to the memory of former District Councillor Jim Axon.

122. ANNOUNCEMENTS

The Chairman of the Council advised that Council staff were collecting money to donate to the Disasters Emergency Committee in relation to the Haiti Earthquake. She invited members to contribute by placing money in the bucket on display at the meeting.

123. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors Mrs P Brooks, A Clark, J Collier, Mrs R Gadsby, A Green, Mrs J Hedges, W Pryor, B Rolfe, D Stallan and A Watts declared personal interests in agenda Item 5 (Report of the Cabinet – Gypsy and Traveller Development Plan Document – Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

- (i) being members of a Parish/Town Council which had taken part in the consultation exercise;
- (ii) being residents in a notification area for one of the sites identified in the Consultation on Options document; and
- (iii) having attended public meetings convened to discuss the issue.

The Councillors advised that they had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration and voting on the matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillors K Angold-Stephens, R Barrett, Ms R Brookes, Mrs P Smith and D Wixley declared personal interests in agenda Item 5 (Report of the Cabinet – Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

- (i) having been respondents to the consultation exercise; and
- (ii) having attended public meetings convened to discuss the issue.

The Councillors advised that they had determined that their interests were not prejudicial and that they would remain in the meeting for consideration and voting on the matter.

(c) Pursuant to the Council's Code of Member Conduct, Councillor C Whitbread declared a personal interest in agenda Item 5 (Report of the Cabinet – Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

- (i) having supported the response of Epping Town Council;
- (ii) having responded as a resident of Epping to the Initial Gypsy and Traveller Consultation;
- (iii) having attended public meetings convened to discuss the issue; and
- (iv) having signed a residents' petition regarding the issue.

The Councillor advised that he had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration and voting on the matter.

(d) Pursuant to the Council's Code of Member Conduct, Councillors Mrs S Clapp, P Gode, Mrs A Grigg, J Knapman, R Law, A Lion, S Murray, J Philip, Mrs P Richardson, B Sandler, P Spencer, P Turpin and Mrs L Wagland declared personal interests in agenda Item 5 (Report of the Cabinet – Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of being members of a Town/Parish Council which had taken part in the consultation exercise.

The Councillors advised that they had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration and voting on the matter.

(e) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett and J M Whitehouse declared personal interests in agenda Item 5 (Report to the Cabinet – Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of having been respondents to the consultation exercise. The Councillors advised that they had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration and voting on the matter.

(f) Pursuant to the Council's Code of Member Conduct, Councillor Mrs M Sartin declared a personal interest in agenda Item 5 (Report to the Cabinet - Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of her husband having been a respondent to the consultation exercise. The Councillor advised that she had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration and voting on the matter.

(g) Pursuant to the Council's Code of Member Conduct, Councillors Ms S-A Stavrou and Mrs E Webster declared personal interests in agenda Item 5 (Report to the Cabinet - Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

(i) being members of Waltham Abbey Town Council which had taken part in the consultation exercise;

(ii) having assisted in compiling the Town Council's response to the consultation exercise;

(iii) having been respondents to the consultation exercise; and

(iv) having advised residents on the issue.

The Councillors advised that they had determined that their interests were not prejudicial and that they would remain in the meeting for the consideration and voting on the matter.

(h) Pursuant to the Council's Code of Member Conduct, Councillor Mrs J H Whitehouse declared a personal interest in agenda Item 5 (Report of the Cabinet - Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

- (i) having being a respondent to the consultation exercise; and
- (ii) having made a donation to an Action Group which had been a respondent to the exercise.

The Councillor advised that she had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration and voting on the matter.

(i) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in agenda Item 5 (Report of the Cabinet - Gypsy and Traveller Development Plan Document - Counsel's Advice and Initial Analysis of the Options Consultation Responses) by virtue of:

- (i) having being a respondent to the consultation exercise; and
- (ii) having advised residents on the issue.

The Councillor advised that she had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration and voting on the matter.

124. REPORT OF THE CABINET - GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT - COUNSEL'S ADVICE AND INITIAL ANALYSIS OF THE OPTIONS CONSULTATION RESPONSES

Mover: Councillor Mrs D Collins – Leader of the Council

The Leader of the Council submitted a report following consideration by the Cabinet of advice from Counsel about the future direction for the preparation of the Gypsy and Traveller Development Plan document.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That an urgent meeting be sought with the relevant Minister to discuss the future preparation of the Gypsy and Traveller Development Plan document;
- (2) That the letter attached as Annex 2 to the report be sent to the relevant Minister prior to the meeting referred to in (1) above;
- (3) That, pending the outcome of further discussions with the Government Office for the East of England (Go-East), preparation of the Gypsy and Traveller Development Plan document be continued;
- (4) That the sites identified within the Options Consultation Document not be rejected without formal consideration of the responses to the consultation;
- (5) That officers be authorised to continue discussions with Counsel and Go-East about sites which are within or in close proximity to settlements; and
- (6) That the initial results of the analysis of the consultation responses be noted.

125. REPORT OF THE CABINET - LOCAL HIGHWAYS PANEL

Mover: Councillor Ms S-A Stavrou – Community Safety and Transport Portfolio Holder

The Portfolio Holder submitted a report following further consideration by the Cabinet of the arrangements for a Local Highways Panel.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the principle of Parish Council representatives on the Local Highways Panel having voting rights in future be approved; and
- (2) That the Local Highways Panel be requested to review its constitution as a matter of urgency prior to the Annual Council meeting in May 2010 by:
 - (a) taking account of the Council's decision in resolution (1) above; and
 - (b) considering experience gained in the first year of operation of the Panel.

126. WASTE AND RECYCLING COLLECTION SERVICES - REPORT OF THE ENVIRONMENT PORTFOLIO HOLDER

Councillor Mrs M Sartin, the Environment Portfolio Holder reported orally on the Waste and Recycling Collection Services which had been disrupted recently due to the adverse weather conditions.

The Portfolio Holder advised that members had been in receipt of regular updates during the period of the recent adverse weather conditions. She stated that she hoped members appreciated the logistics of dealing with the problems posed by the weather conditions which had been compounded by the changes in the collection programme necessitated by the Christmas/New Year holidays.

Councillor Mrs Sartin reported that last week's thaw had enabled crews to reach areas they had previously been unable to access. However, inevitably there had been some properties which had been missed as crews were sometimes working in areas with which they were unfamiliar. The Portfolio Holder advised that she considered the Council's contractors and Waste Management officers had worked hard over the period and at times when neighbouring authorities had suspended collections. They had used innovative methods to help clear the backlog including the use of smaller vehicles to collect recycling sacks from the more difficult to access streets which had then be taken to central points for collection by the refuse freighters. Unfortunately such good ideas had not always been interpreted correctly by the press. It had been easy for the press to find and report on areas where the problems had been the greatest but they had completely failed to acknowledge all of the hard work which had been undertaken under very difficult circumstances. The Portfolio Holder stated that she appreciated it was frustrating for residents when collections were not made on the scheduled dates and she thanked the public for their forbearance over the period.

Councillor Mrs Sartin advised that there had been health and safety implications to consider not just for crew members but also others on the highway and in relation to parked vehicles on the highway. There had been injuries to crew members working in the adverse weather conditions and she invited members to join her in sending them best wishes for a speedy recovery. She drew attention to copies of photographs which had been sent to members showing some of the difficulties involved including vehicles which had skidded off the road into ditches.

Councillor Mrs Sartin advised that at a meeting of the Waste Partnership Board earlier in the day it had been agreed that there should be a full review of the service during the period of the adverse weather conditions and the outcome of this review would be reported to members when it had been completed.

The Portfolio Holder reported that with improved weather conditions and a return to the collection calendar dates she expected normal service to be resumed shortly. However, if any member was aware of areas in their wards where collections were still outstanding they should send her details which she would pass on to the Waste Management Team. Councillor Mrs Sartin also expressed thanks to the Customer Service Team who had handled a large number of questions and enquiries from the public. She pointed out that with 20,000 collections per day there were bound to have been problems during the recent difficult period.

Whilst some members acknowledged the receipt of regular updates, Councillor S Murray advised that he did not feel he had been kept informed of developments. He also referred to the difficulty of contacting Waste Management officers. Councillor Mrs Sartin expressed concern that Councillor Murray had not appeared to have received the information provided to other Councillors and she invited him to discuss the matter further with her after the meeting so that she could take up the issue with officers.

Councillor Murray asked whether in hindsight it had been correct to follow the scheduled programme of collections when the weather had improved rather than concentrating on those areas which had not received a collection during the first period of the bad weather. Councillor Mrs Sartin advised that this suggestion would be taken into account as part of the forthcoming review.

Councillor J M Whitehouse expressed the hope that all members would have an opportunity to contribute to the review and asked whether Overview and Scrutiny would be involved. Councillor Mrs Sartin advised that the Safer Cleaner Greener Scrutiny Panel would be involved in the review and that all members would have an opportunity to contribute.

Councillors Mrs E Webster and Mrs L Wagland congratulated the staff involved and criticised the press for the way in which they had reported on the matter.

127. CALL-IN AND URGENCY AND EXPENDITURE OUTSIDE OF BUDGETARY FRAMEWORK - 20/30 AND 40/49 CARTERSFIELD ROAD, WALTHAM ABBEY

Mover: Councillor Mrs M Sartin – Environment Portfolio Holder

The Portfolio Holder reported on steps which had been taken to secure buildings to prevent unauthorised entry and prevent them from becoming a danger to public health.

Councillor Mrs Sartin expanded on her written report by advising the Council that the level of expenditure incurred had been approximately £5,000 of which £1,500 could be met from an existing budget.

Report as first moved **ADOPTED**

RESOLVED:

(1) That the decision of the Chairman of the Council to agree that the decision of the Environment Portfolio Holder to authorise urgent works to secure buildings to prevent unauthorised entry and prevent them from becoming a danger to public health in accordance with the provisions of Section 29 of the Local Government (Miscellaneous Provisions) Act 1982 should be treated as a matter of urgency and should not be subject to call-in be noted;

(2) That the decision of the Chairman of the Overview and Scrutiny Committee that the expenditure on this matter was a matter of urgency and required prior to the matter being considered by full Council be noted; and

(3) That a DDF supplementary estimate for 2009/10 in the sum of £3,500 be approved to meet the costs which cannot be met from the Maintenance Budget for the Brooker Road Area.

128. EXCLUSION OF PUBLIC AND PRESS

The Chairman announced that she had been advised that Item 8 (Contract of Employment – Post XEX/01) had been withdrawn and that as a result there was no need for the Council to consider the exclusion of the public and press. The Chairman declared the meeting closed.

CHAIRMAN