

# EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

**Committee:** Council

**Date:** 28 June 2011

**Place:** Council Chamber, Civic Offices,  
High Street, Epping

**Members Present:** Councillors K Angold-Stephens (Chairman), B Rolfe (Vice-Chairman), R Barrett, R Bassett, A Boyce, Ms R Brookes, K Chana, Mrs T Cochrane, R Cohen, Mrs D Collins, D Dodeja, C Finn, Mrs R Gadsby, Mrs A Grigg, J Hart, Ms J Hart, D Jacobs, D C Johnson, P Keska, J Knapman, Mrs J Lea, L Leonard, A Lion, J Markham, Mrs M McEwen, A Mitchell MBE, G Mohindra, R Morgan, J Philip, Mrs C Pond, W Pryor, B Sandler, Mrs M Sartin, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, 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 K Avey, W Breare-Hall, J Collier, P Gode, Mrs S Jones, Ms Y Knight, S Murray, S Packford, Mrs P Richardson, Mrs J Sutcliffe, G Waller and Ms S Watson

**Officers Present:** D Macnab (Acting Chief Executive), C O'Boyle (Director of Corporate Support Services), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), P Maddock (Assistant Director (Accountancy)), A Mitchell (Assistant Director (Legal)), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer) and C Overend (Policy & Research Officer)

## 16. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive reminded everyone 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.

## 17. MINUTES

### RESOLVED:

That the minutes of the Council meeting held on 24 May 2011 be taken as read and signed by the Chairman as a correct record subject to the inclusion of the word "Deputy" after the name "G Waller" in item 14 of Appendix E to the minutes.

## 18. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Collins declared a personal interest in agenda item 10 (Report of the Cabinet – Epping Forest College, Loughton – Approval to Development Works) by virtue of being Chairman of the Corporation Board of the College. The Councillor advised that she

had determined that her interest was prejudicial and that she would leave the meeting for the consideration and voting on the matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Morgan declared a personal interest in agenda item 19 (Report of the Electoral and Community Governance Review Committee) by virtue of being the Chairman of Matching Parish Council. 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.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Angold - Stephens declared a personal interest in agenda item 16 (Parish Remuneration Panel – Annual Report 2010/11) by virtue of being a member of the Loughton Town Council. 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.

## **19. ANNOUNCEMENTS**

### **(a) Announcements by the Chairman of the Council**

#### **(i) Attendance at Events**

The Chairman reported that on 5 June he had hosted a very special event at North Weald Airfield in honour of the 90<sup>th</sup> Anniversary of the Royal British Legion. The event had also coincided with the North Weald Airfield American Eagles Fun Day and Fly-in which had been held to celebrate the 70<sup>th</sup> Anniversary of the American Eagle Squadron at North Weald Airfield during the Second World War. The Chairman announced that wreaths had been laid at the base of the Gate Guardian in memory of those who had lost their lives in conflict. He also reported that he had made a presentation to 91 year old Doris Holden from the North Weald Branch of the British Legion. Doris had served at the Airfield during the Second World War and had been an active member of the Legion for over 30 years. The Chairman thanked the officers who had organised the event.

The Chairman reported that he had attended St Clare Hospice on 8 June for the visit of Her Royal Highness the Countess of Wessex.

He also reported on his attendance at the Young Enterprise (Essex) Team Celebration Event held on 9 June 2011. He advised the Council that the Team Programme had been specifically designed for young people aged 15-19 years who had experienced difficulties with learning and/or had physical disabilities. It had offered them a practical experience of running their own company, supported by their teacher and volunteer business advisors.

The Chairman announced that he had started visiting primary schools in the District to present the West Essex Primary School Prizes. The prizes were being presented on behalf of the West Essex Partnership in recognition of hard work and effort put in at schools over the past year.

The Council noted that the Chairman had attended the Crucial Crew Event on 17 June. The Crucial Crew was an interactive safety initiative based around key life skills that targeted 10-11 year old children. The Chairman advised that he had welcomed and toured the event with the High Sheriff, Lady Ruggles-Brise.

The Chairman announced that on 20 June, a short service had been conducted at the Civic Offices during which he had raised the Armed Forces Day Flag in recognition of Armed Forces Day on 25 June. Following the ceremony, he had hosted a small reception for those attending the event, at which coffee and cookies had been served and £65.00 had been raised for his charities.

The Chairman advised members that he proposed to impose a £10 fine on any member whose mobile phone rang during Council meetings during his year of office or on any member found texting during a Council meeting. He advised that the fines would be put to his charities.

The Chairman reminded the Council of the Members' and Officers' Golf Day on 19 July and encouraged members to participate.

Finally, the Chairman advised of his attendance at an Art and Design Exhibition at Epping Forest College as a result of which agreement had been reached for the display in the Chairman's Office of a work of art for the duration of the municipal year 2011/12. The Chairman advised that a similar arrangement would be available for future Chairmen if they wished to participate.

**(i) Floral Display**

The Chairman announced that he intended to send the flowers from tonight's meeting to Parsonage Court, Loughton.

**(b) Announcements by the Leader of Council**

Councillor Wagland reported that at a recent meeting of the West Essex Alliance, it had been announced that the enterprise zones being backed by the Local Enterprise Partnership covering Essex, East Sussex, Kent, Medway, Southend and Thurrock had been confirmed as Discovery Park in Sandwich, Kent and Enterprise West Essex in Harlow. The bid in relation to West Essex had been focussed on supporting small and medium sized businesses. Councillor Wagland pointed out that there was no guarantee of these bids being accepted by the Secretary of State.

The Leader reported that she had appeared on Channel Four News to discuss the Council's Refuse and Recycling Policy. She said she had emphasised the Council's arrangements for a weekly collection of food waste. It had subsequently been announced that central government was not going to attempt to force councils to adopt weekly collections for all waste.

The Leader advised that together with the Deputy Leader and the Finance and Economic Development Portfolio Holder, she had met representatives of Ernst & Young to discuss the prioritised resource planning study being undertaken. She also reminded the Council that Price Waterhouse Coopers were being engaged to undertake a revenue income optimisation project.

Councillor Wagland advised that there had been a certain amount of misinformation expressed in certain quarters regarding tickets for the Olympic and Paralympic Games. She advised that the Council had been approached in November 2010 by the Government Olympic Executive to bid for tickets for the Opening and Closing Ceremonies of both the Olympic and Paralympic Games, as well as for the canoe slalom event. As a result, the Council had bid for two tickets at the lowest price band for both the Olympic Opening Ceremony and the Olympic Closing Ceremony. Further, on the basis that it was understood the Paralympic Ceremony to be cheaper, a bid had been made for six tickets for each of the Paralympic Opening and Closing

Ceremonies. In addition, the Council had also bid for up to 50 tickets at the lowest price bands for the canoe slalom events for the heats and for the semi final/final. Councillor Wagland informed Members that the Council had now been offered two tickets for the Olympic Opening Ceremony and two tickets for the Olympic Closing Ceremony and 50 tickets for the canoe slalom events. She pointed out that tickets for the Paralympic Games had not yet been allocated. The Leader advised the Council that no decision had yet been taken on whether to accept the tickets or how the tickets, if accepted, would be allocated. She reported that this would be a matter for the Cabinet but that no tickets would be for councillors or for members of staff and she expected any tickets to be used to reward local residents who had contributed in some significant way to community life/citizenship in the District or had overcome adversity.

**(c) Announcement by the Environment Portfolio Holder**

Councillor Knapman advised that the Council had received a petition requesting that the lake in the Roding Valley, drained by the Police, be refilled. The Portfolio Holder pointed out that he was considering the petition but that significant resources would be required to refill the lake and the level had already improved since the submission of the petition. Councillor Knapman advised that at present there was no evidence of any danger to fish or plant life in the lake.

Councillor Knapman advised that in considering savings for future years' budgets, he had no proposals to remove the Emergency Flooding out-of hours Standby Service.

**(d) LightBulb Apprenticeship Programme**

The Chairman announced that the LightBulb based in Basildon provided training and consultancy services in Essex and the surrounding counties. He reported that Summer North had joined the Council as part of the Future Jobs programme and had been given a one year contract as an ICT apprentice. LightBulb had overseen and mentored Summer by setting projects and tasks in order for her to complete and pass an NVQ. During her apprenticeship, Chris Askew, Customer Support Supervisor in ICT had been Summer's line manager, providing guidance, support and the opportunity to gain experience of working in ICT.

The Chairman said that he was delighted to announce that Summer had received LightBulb's award for the apprentice who had interacted best with her employer and the apprenticeship programme. Further, Chris Askew had received an award for employer of the year.

The Chairman presented the awards.

**(e) Travel Plan**

The Chairman announced that the Council had agreed to introduce its own Travel Plan in September 2009 and, since then, in partnership with Essex County Council, had been developing a number of initiatives as part of the Plan. He advised that in view of the progress the Council had made on the Travel Plan, it had now been awarded the Bronze Standard Accreditation. The award was in recognition of the measures put in place by the Council including completion of a staff travel survey to obtain information about travel patterns and ideas for improvements, flexi-working, development of a car sharing scheme, provision of personal alarms, promotion of cycling and walking to work as a healthy way to travel, provision of route maps and timetables for local public transport and promotion of its benefits, and "green driving tests" for staff.

The Chairman introduced Harvey Panrucker, Sustainable Travel Planning Manager, Essex County Council and Rochelle Ruston, Sustainable Travel Planning Advisor to the meeting. Mr Panrucker congratulated the Council in obtaining the award and together with the Chairman, presented the award to Councillor Smith, the Safer and Greener Portfolio Holder and Chris Overend, Policy Officer who had helped develop the Plan.

The meeting noted that the Council would strive for accreditation to silver, and ultimately to gold standard by building on existing initiatives and introducing ideas in other areas.

## **20. PUBLIC QUESTIONS (IF ANY)**

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

## **21. 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 Environment Portfolio Holder, the Finance and Economic Development Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning and Technology Portfolio Holder, and the Safer and Greener Portfolio Holder.

The Chairman invited the Leader and Legal Portfolio Holder and the Support Services Portfolio Holder to provide oral reports, and other members of the Cabinet to give an oral update of their written reports.

### **(a) Leader and Legal Portfolio Holder**

The Leader advised that, having made announcements earlier in the meeting, she had nothing to add under this item.

### **(b) Chairman of the Overview and Scrutiny Committee**

Councillor Bassett advised that he had nothing to add to his report but wished to take this opportunity to thank Councillor Morgan, the former Chairman of the Committee, for progressing an effective Overview and Scrutiny function at the Council.

Councillor Morgan acknowledged the thanks and advised the Council that, whilst it had been the intention to keep the Magistrates' Court in Epping open till the end of the calendar year, due to budget cuts it had been closed the previous day. He expressed the view that this was a sad day for justice and for the history of Epping.

### **(c) Finance and Economic Development Portfolio Holder**

Councillor Mohindra reported that he had authorised the necessary traffic survey in relation to the St John's Road area, Epping development proposals and a further report would be made in due course.

**(d) Planning and Technology Portfolio**

Councillor Philip drew attention to a typographical error in the recommendation of his report. He advised that the Leader of the Council had recently met the Right Honourable Eric Pickles MP, Secretary of State for Communities and Local Government and Bob Neill MP, Parliamentary Under Secretary of State and the latter had offered a meeting to discuss how the Council could progress its Core Strategy. Councillor Philip advised that this invitation would be accepted.

**(e) Safer and Greener Portfolio Holder**

Councillor Smith advised that confirmation had been received within the last few days that the County Council Portfolio Holder for Transport and Highways had agreed to authorise implementation of the Epping Parking Review. She advised that the timescale was not yet clear.

**(f) Support Services Portfolio Holder**

Councillor Wyatt advised that he had met lead officers and other staff responsible for services within his Portfolio and was now well informed of the areas for which he was responsible. He advised that he would be submitted written reports to future Council meetings.

**22. QUESTIONS BY MEMBERS WITHOUT NOTICE****(i) Buckhurst Hill Parking Review**

Councillor Spencer asked the Safer and Greener Portfolio Holder for the latest timetable for completion of the Buckhurst Hill Parking Review.

Councillor Smith referred to the progress made with the County Council in securing authorisation for implementation of the Epping Parking Review but stated that at present she was unable to provide dates for the other outstanding reviews. She advised that it was her intention to bring forward reports on the other reviews as soon as possible.

**(ii) Pest Control Treatment Service**

Councillor Leonard drew attention to the charges being made for this service under arrangements with Rentokil following the collapse of the service provider. He asked the Environment Portfolio Holder whether tenders would be sought when a new contract was due to be entered into early in 2012.

Councillor Knapman confirmed that it was his intention to seek tenders for a new contract and pointed out that there seemed to be some misunderstanding about the charges being made by Rentokil. He emphasised that Rentokil were providing a subsidised service to Epping Forest District residents and that additional discounts were available for those on defined benefits.

**(iii) St John's Road area, Epping – Redevelopment**

Pursuant to the Council's Code of Member Conduct, Councillor J M Whitehouse, before asking his question, declared a personal interest in this matter by virtue of

being a resident of St John's Road, Epping. The Councillor advised that he had determined that his interest was not prejudicial.

Councillor Whitehouse asked the Finance and Economic Development Portfolio Holder when the traffic study in relation to the scheme would be completed, when consultation would be carried out, and when draft and final reports would be available.

Councillor Mohindra advised that he had authorised the undertaking of a traffic survey. He continued that consultation would be undertaken after the options had been discussed and viable ones identified. He said that it was his intention to involve local ward councillors in the process.

**(iv) North Essex Parking Partnership**

Councillor Whitbread asked the Safer and Greener Portfolio Holder if it was the intention of the new Cabinet to continue to press for free parking in Epping and Ongar Town Centres as had been the policy of the previous Cabinet.

Councillor Smith advised that she had recently attended the first meeting of the Partnership but that this matter had not been discussed. She assured Councillor Whitbread that she would support local businesses and continue to press for free parking in Epping and Ongar Town Centres.

**(v) Park and Ride Facility at North Weald Airfield in relation to the Lee Valley White Water Centre**

Councillor Grigg asked the Leisure and Wellbeing Portfolio Holder if the proposal to use the Airfield as a park and ride facility was being pursued by the Olympic Development Agency. She stated that if this use took place, she was aware the Council would not receive income from the Olympic Development Agency but questioned whether the operator of coaches taking the public from North Weald to the White Water Centre would be making a contribution to the Council.

Councillor Gadsby advised that she would respond to Councillor Grigg in writing and would publish her reply in the Council Bulletin.

**(vi) Safer and Greener Portfolio**

Councillor Markham expressed disappointment at (a) the increase in the outturn figure for overall crime in the District despite an increased use of CCTV, (b) the delays in the outstanding parking reviews, and (c) the apparent demise of the Local Highways Panel. He asked Councillor Smith if she could draw attention to any positive matters in her report.

Councillor Smith confirmed that there had been a very small increase in overall crime in the District (1%) when comparing figures for 2010/11 with those for 2009/10. She pointed out however that within the figures, a number of significant improvements had been achieved. She expressed the view that the fear of crime was minimal in the District and expressed confidence in the contributions being made by all those represented on the Safer Communities Partnership. Councillor Smith advised that she felt it was important to retain local representation in highways partnership arrangements with the County Council and that she expected new arrangements to be established in place of the Local Highways Panel. She confirmed that matters remaining outstanding with the Panel would be progressed under any new arrangements.

**(vii) Loughton Tree Strategy and Lake in the Roding Valley**

Councillor Wixley drew attention to a “tree” walk taking place on 10 July 2011 being lead by Tricia Moxey and CountryCare Officers. He invited members to join the walk. Councillor Wixley asked the Environment Portfolio Holder if more publicity could be given to the situation regarding the lake which had been drained in the Roding Valley.

Councillor Knapman advised that a petition with 549 signatures had been received seeking the refilling of the lake in the Roding Valley which had been drained by the Police. He advised that he was liaising with Officers about the petition but acknowledged that there was possibly a need for increased publicity in relation to the current position. He agreed to pursue this matter.

**(viii) Council's Internet/Intranet Replacement**

Councillor Dodeja asked the Planning and Technology Portfolio Holder for further information regarding the proposed replacement of the Council's internet/intranet.

Councillor Philip confirmed that the current intranet solution was no longer fit for purpose. A new system had been developed internally and was currently being trialed. He advised that he anticipated this new solution could be used in the development of a new website.

**(ix) Private Sector House Condition Survey**

Councillor Jenny Hart drew attention to the Private Sector House Condition Survey to be undertaken and asked what level of responsibility private landlords had towards their tenants and the extent to which the Council could enforce these responsibilities, for example repairs to leaking plumbing and faulty electrics.

Councillor McEwen, Housing Portfolio Holder, advised that landlords were responsible for most repairs to the exterior or structure of a property that they rented out, e.g., problems with the roof, chimney, walls, guttering and drains. She continued that landlords were also responsible for keeping the equipment for supplying water, gas and electricity in safe working order. Councillor McEwen confirmed that this would include rectifying problems with leaks to plumbing and faulty electrical installations. She pointed out that tenants had responsibility for some minor repairs and maintenance including internal decorations, gardens and furniture or equipment. The Portfolio Holder advised that officers from the Private Sector Housing Team enforced a range of Environmental Health and Housing legislation requirements to ensure that properties were safe to occupy and had adequate amenities. Officers would contact landlords informally in the first instance, giving them the opportunity to remedy an issue and there was the option for further enforcement action by way of an improvement notice which legally required works to be completed. Failure to comply with the notice could result in either works being carried out in the landlord's default and/or a prosecution for non compliance.

**(x) St John's Road area, Epping – Traffic Survey**

Councillor J H Whitehouse referred to the answer previously given by the Finance and Economic Development Portfolio Holder and questioned when the traffic survey would be undertaken because in her view if it took place during the school summer holiday period the results would not reflect an accurate position.



Councillor Mohindra said that he was well aware of these factors and that he was aiming to get the matter resolved speedily.

**(xi) Waltham Abbey Youth 2000**

Pursuant to the Council's Code of Member Conduct, before asking his question, Councillor Pryor declared a personal interest in this matter by virtue of being a trustee/director of New Images/WAY2000. The Councillor advised that he had determined that his interest was not prejudicial.

Councillor Pryor asked the Leisure and Wellbeing Portfolio Holder what support, if any, the District Council could give Waltham Abbey Youth 2000 following the withdrawal of support to the organisation by Essex County Council.

Councillor Gadsby advised that officers had met with representatives of Waltham Abbey Youth 2000 and had offered support for certain activities.

**(xii) Loughton Broadway Town Centre Partnership – CCTV**

Councillor Brookes asked if an under-spend from the £100,000 allocation for CCTV at The Broadway Loughton could be used to purchase a piece of art for display at The Broadway.

Councillor Smith said that she did not have all the relevant information to hand and would take Councillor Brookes' suggestion into account but felt that it was likely any under-spend would be invested in further CCTV.

**23. MOTIONS**

The Council was advised that there were no motions for consideration at this meeting.

**24. QUESTIONS BY MEMBERS UNDER NOTICE**

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

**25. ORDER OF BUSINESS**

By leave of the Council, the Chairman sought leave to bring forward item 18 (Standards Committee – Annual Report 2010/11).

**RESOLVED:**

That the item on the Standards Committee – Annual Report 2010/11 be taken as the next item of business.

**26. STANDARDS COMMITTEE - ANNUAL REPORT 2010/11**

Richard Crone, Chairman and independent member of the Standards Committee presented the Ninth Annual Report 2010/11 of the Committee. He drew attention to

the need for the Council to address a new ethical framework once the Bill currently being debated in Parliament was enacted.

**RESOLVED:**

That the Annual Report 2010/11 of the Standards Committee be noted.

**27. REPORT OF THE CABINET - EPPING FOREST COLLEGE, LOUGHTON - APPROVAL TO DEVELOPMENT WORKS**

**Mover: Councillor Wagland – Leader and Legal Portfolio Holder.**

The Leader submitted a report on a request from Epping Forest College seeking the Council's approval for the demolition of the Loughton Sports Hall and the construction in its place of a new 85 bed care home development with car parking and landscaped secure garden areas in accordance with planning permission EPF/2439/10.

**Report as first moved ADOPTED**

**RESOLVED:**

That, pursuant to the restrictive covenant in paragraph (b) of the Third Schedule of a Conveyance dated 1 May 1952, approval be given as landowner of the adjoining lands to a scheme of works to be carried out on land known as the former Loughton Sports Hall as shown by a black verge on the plan attached to the report of the Cabinet.

**28. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - REVIEW OF CONTRACT STANDING ORDERS**

**Mover: Councillor Bassett – Chairman of the Committee**

Councillor Bassett submitted a report following the annual review of Contract Standing Orders.

**Report as first moved ADOPTED**

**RESOLVED:**

(1) That the schedule of amendments to Contract Standing Orders set out in Appendix 1 to these minutes be approved;

(2) That the proposed changes to Contract Standing Orders C4(1)(g) (Contract Renewals) and C7(6)(a) (Ad Hoc Tender Lists) be reviewed in 2012/13; and

(3) That Contract Standing Orders and Financial Regulations be reviewed in alternate years in future, viz

2011/12 – Financial Regulations

2012/13 – Contract Standing Orders.

**29. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - REVIEW OF OFFICER DELEGATION**

**Mover: Councillor Bassett – Chairman of the Committee**

Councillor Bassett submitted a report following the annual review of officer delegation.

**RESOLVED:**

- (1) That the schedule of changes to Council delegation attached as Appendix 2 to these minutes be approved including clarification of paragraphs (f) and (h) of the attached Appendix 3 to these minutes;
- (2) That the revised schedules be incorporated in the Constitution; and
- (3) That the schedules of delegation be re-configured on a Directorate basis in future.

**30. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT 2010/11**

**Mover: Councillor Bassett – Chairman of the Committee**

Councillor Bassett submitted the Annual Report of the Committee in accordance with Overview and Scrutiny Procedure Rule 24.

**Report as first moved ADOPTED**

**RESOLVED:**

- (1) 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; and
- (2) That in future annual reviews of this nature be published and circulated as a separate document rather than as part of an agenda.

**31. REPORT OF THE LICENSING COMMITTEE - LICENSING OF SEX ENTERTAINMENT VENUES**

**Mover: Councillor Morgan – Chairman of the Committee**

Councillor Morgan submitted a report proposing adoption of a policy for the regulation of sex cinemas, sex shops and sexual entertainment venues.

**Report as first moved ADOPTED**

**RESOLVED:**

That the Sexual Entertainment Venues and Sex Establishment Licensing Policy and the licence conditions as set out in the attachment to the report of the Licensing Committee be adopted.

**32. REPORT OF THE LICENSING COMMITTEE - PAVEMENT LICENCES**

**Mover: Councillor Morgan – Chairman of the Committee**

Councillor Morgan submitted a report following further consideration by the Committee of the exercise of powers to issue licences to businesses which wished to place tables, chairs, A-boards etc on the pavement.

**Report as first moved ADOPTED**

**RESOLVED:**

- (1) That licences be not granted under Section 115E of the Highways Act 1980 which would permit items such as tables and chairs to be placed on pavements; and
- (2) That the position be reviewed by the Committee in one year's time.

**33. PARISH REMUNERATION PANEL - ANNUAL REPORT - 2010/11**

In the absence of Rosemary Kelly, member of the Panel who was to have presented the report but was not at the meeting as she had been involved in a road traffic accident the previous week, the Chairman invited Mr I Willett to present the report.

Mr Willett submitted the Annual Report 2010/11 of the Epping Forest District Parish Remuneration Panel.

**RESOLVED:**

That the Annual Report 2010/11 of the Epping Forest District Parish Remuneration Panel be noted.

**34. REPORT OF THE ELECTORAL & COMMUNITY GOVERNANCE REVIEW COMMITTEE**

**Mover: Councillor Philip – Chairman of the Committee**

Councillor Philip submitted a report following a Community Governance Review in respect of Moreton, Bobbingworth and the Lavers Parish Council.

**Report as first moved ADOPTED**

**RESOLVED:**

- (1) That the following proposals arising from the Community Governance Review for MBL Parish be adopted, as they reflect the identities and interests of the communities in the area and are effective and convenient namely:
  - (a) re-warding of the area comprising the existing Parish Wards of High Laver, Little Laver and Magdalen Laver to form a single ward entitled "The Lavers" as shown on Map 2 (shaded pink) of Appendix 1 to the report of the Committee;

- (b) the transfer of those areas of High Laver and Little Laver wards which are part of Matching Green Village to the Parish of Matching (as set out in Appendix 1 to the report of the Committee (and shaded green on Map 1 to that report));
  - (c) the re-alignment of the MBL/Matching Parish boundary in Matching Green Village as a consequence of (b) above as shown with a green line in Map1 of Appendix 1 to the report of the Committee ;
  - (d) that MBL Parish, should continue to have a Parish Council with electoral arrangements based on wards;
  - (e) that no change to the number of Parish Councillors in Matching and MBL Parishes be made;
- (2) That an Order be made under Section 92 of the Local Government and Public Involvement in Health Act 2007 to give effect of the proposals arising from the review, subject to a report to this meeting on further consultation with elected Councillors resident in the MBL part of Matching Green village to ascertain the level of public support for a new Matching Parish Council elections in 2012;
  - (3) That a statutory statement under Section 96 of the Act indicating the Committee's response to the review (as set out in Appendix 2 to the report of the Committee) be adopted for subsequent publication all respondents to the public consultation;
  - (4) That the Council make an application to the Local Government Boundary Commission (LGBC) for the following:
    - (a) the re-alignment of the boundary between North Weald and Nazeing and Ongar and Rural County Electoral Divisions and the District Wards of Moreton and Fyfield and Hastingwood, Matching and Sheering Village to follow the new Parish boundary; and
    - (b) the holding of an election in 2012 in the District Ward of Hastingwood, Matching and Sheering Village.

**35. EPPING FOREST MEMBERS' REMUNERATION PANEL - SIXTH ANNUAL REPORT - 2010/11**

In the absence of Rosemary Kelly, member of the Panel who was to have presented the report but was not at the meeting as she had been involved in a road traffic accident the previous week, the Chairman invited Mr I Willett to present the report.

Mr Willett submitted the Annual Report 2010/11 of the Independent Remuneration Panel.

**Motion moved by Councillor Stallan and seconded by Councillor Knapman.**

"That the following recommendation of the Panel be adopted:

"(6) That, as it is considered the role of Licensing Sub-Committee Chairmen is similar to the role undertaken by Area Plans Sub-Committee Chairmen, a Special

Responsibility Allowance be paid totalling £3225 per annum to be divided equally between the six Licensing Sub-Committee Chairmen”.

**Carried**

**Second motion moved by Councillor Philip and seconded by Councillor Wagland.**

“That the level of implementation of the allowance for the Chairman of Licensing Sub-Committee Chairman be set at £2362 per annum.”

**Carried**

**Third motion moved by Councillor Wagland and seconded by Councillor Philip**

“That the remaining recommendations of the Independent Remuneration Panel be noted”

**Carried**

**Report as amended ADOPTED**

**RESOLVED:**

(1) That, as it is considered the role of Licensing Sub-Committee Chairmen is similar to the role undertaken by Area Plans Sub-Committee Chairmen, a Special Responsibility Allowance be paid totalling £3225 per annum to be divided equally between the six Licensing Sub-Committee Chairmen;

(2) That the level of implementation of the allowance for the Chairmen of the Licensing Sub-Committee be set at £2362 per annum; and

(3) That the remaining recommendations of the Independent Remuneration Panel be noted.

**36. COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION - PLANNING FOR TRAVELLER SITES**

**Mover: Councillor Philip (Planning and Technology Portfolio Holder - at the request of the Panel)**

Councillor Philip submitted a report of the Panel proposing responses to questions posed in a Department for Communities and Local Government Consultation Paper on Planning for Traveller Sites.

By leave of the Council, Councillor Philip added the following further recommendations to the report of the Panel:

“(2) That a meeting be requested with the Minister to discuss the experience of the previous consultation in connection with the Direction, with the intention of modifying the content of the final version of the Planning Policy Statement; and

(3) That local Members of Parliament be advised of the report and the request to meet the Minister”.

Councillor Philip emphasised that this was a central government consultation exercise and not one initiated by the District Council.

During the discussion, members suggested a number of alterations to the responses to the consultation including the following:

- (a) expansion of the answer to question 3 to include the words “There is a considerable contrast between the historic seasonal agricultural work patterns of Gypsy Roma Traveller and the work patterns that exist now. The Council has seen, on average, 12 pitches provided per year over the past three years, but that rate of provision is high compared to what would normally occur”;
- (b) the reference in the answer to question 6 in the sixth line to “Section 11.23a” to read “Policy H, paragraph 23a”;
- (c) the answer to the first question of Option 3 of the Impact Assessment to start with the words “yes – there will be extra costs”, and not “no – there will be extra costs”;
- (d) the response to question 4, to include reference to the fact that artificial numbers can cause problems and existing sites recently receiving planning permission may suffer from such an approach;
- (e) the response to question 8, to express disagreement with the suggestion that the new emphasis on consultation will improve relations between the settled and traveller communities or indeed between different sections of the traveller community; and reference to be made in that answer questioning the role of Local Community Plans;
- (f) the response to question 12, to include a comment that the use of a rural exception site policy is not considered to be an acceptable approach in the Green Belt given that traveller sites are “inappropriate development”.

In addition, it was suggested that as certain matters of concern to the Council could not be expressed in response to the set questions they be set out in the letter to the Minister seeking a meeting and that a copy of that letter be also appended to the response to the consultation exercise.

Further to the above matters, the Council considered the following motion:

**Motion moved by Councillor Wagland and seconded by Councillor Mohindra**

“That the following be added to the response to question (3) under the Impact Assessment heading:

“That the suspicions and misunderstandings arise from actual or perceived planning policies not being applied in an even way between the settled and traveller communities”.

**Carried**

**Report as amended ADOPTED**

**RESOLVED:**

- (1) That the final wording of the responses to the consultation be agreed by the Planning and Economic Development Portfolio Holder, the Chairman

of the Overview and Scrutiny Committee and officers, taking account of the matters raised during the discussion on this matter;

(2) That a meeting be requested with the Minister to discuss the experience of the previous consultation in connection with the Direction, with the intention of modifying the content of the final version of the Planning Policy Statement;

(3) That the letter seeking a meeting with the Minister include matters of concern to the Council not covered by the questions posed in the consultation exercise, including clarification about how the Government's proposals for Localism will fit with the Planning Policy Statement and that the Planning and Economic Development Portfolio Holder, the Chairman of the Overview and Scrutiny Committee and officers be authorised to agree the wording of that letter;

(4) That a copy of the letter to the Minister also be appended to the response to the consultation exercise; and

(5) That local Members of Parliament be advised of the report and the request to meet the Minister.

### **37. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

Councillor Brookes reported on her attendance at a meeting of the Loughton Leisure Centre Liaison Group. She agreed to provide written details of some of her concerns to the Leisure and Wellbeing Portfolio Holder so that these matters could be pursued.

**CHAIRMAN**



REVIEW OF CONTRACT STANDING ORDERS (CSOs)

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
C1(6)(a) (Definitions)	“For the purposes of these Standing Orders, the expression (a) “Chief Officer” means the Chief Executive, the Deputy Chief Executive or a Service Director.”	ADD “Assistant Service Director”	To reflect current operational practice and Directorate delegation arrangements.
C1(12) (Definitions)	“These Contract Standing Orders apply to procurement of goods and services...”	DELETE “goods and services”.  SUBSTITUTE “goods, services or works”.	To clarify the range of activities involved.
C2(1) (Selection of Tendering Method)	“(1) A chief Officer is required, prior to the invitation of tenders or quotations, to determine the correct procurement procedure in accordance with the provisions of Standing Orders, based on the best estimate available at that time of the contract sum.”	ADD new paragraph (to be numbered (2)) as follows:  “(2) A Chief Officer who is of the opinion that tenders or quotations are only likely to be available from a single source, shall compile and record auditable evidence which justifies his or her decision not to pursue procurement by competition.”	Single source procurement is not available as an option in Contract Standing Orders. However, the new paragraph (2) introduces this means of procurement as this situation does arise in practice. The Chief Officer is required to compile evidence which justifies his or her decision.
C4 (1)(g) (Contract Renewals)	“Where the Council has procured services, supplies or works through a competitive process and the services, supplies or works are considered to represent best value in terms of quantity and price, then the relevant Chief Officer should be enabled to continue for a period of no more than 4 years... to appoint that service provider...”	DELETE: “4 years”  and  SUBSTITUTE: “2 years”	Contract renewals over a period of up to 4 years put value for money at risk due to changes in the market. Renewals should be limited to two years only, after which the market should be tested once more.  This change should be subject to further review in 2012/13 when CSO’s are recommended to be reviewed again.

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Minute Item 28

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
C4 (3) (Notification of Contracts to Chief Internal Auditor)	“Chief Officers will notify the Chief Internal Auditor of all individual purchases and contracts... over £25,000 in value whatever the period of the contract...”	ADD new sentence to C4(3) as follows:  “These requirements shall apply equally to procurement under the Essex Procurement Hub or Contract Standing Orders.”	Additional reference to the Essex Procurement Hub is to clarify that all contracts are to be notified.
C6(1) (Restricted Tendering – for Contracts Exceeding £50,000 in Value)	“... A Chief Officer will resolve that invitation to tender for a contract be limited to those persons or bodies whose names are on Constructionline...”	ADD new paragraph to C6 (to be numbered (1)) as follows:  “(i) For the purposes of this Standing Order restricted tendering is defined as any procurement where large numbers of applicants to join a tendering process are anticipated. Such tendering arrangements will consist of:  (a) the pre-qualification stage – where potential suppliers are required to demonstrate their financial standing and technical ability to meet the Council’s requirements. Account will be taken at this stage of the potential suppliers’ past performance experience in equivalent contracts with the Council or similar bodies, health and safety, environmental and equality procedure checks and any references thought appropriate.  (b) the tendering stage – where suppliers shortlisted at the pre-qualification stage are invited to tender.	Definition of “restricted tendering” will assist interpretation of requirements by Chief Officers.

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
<p>C7(6)(a) (Ad Hoc Tender Lists – Contracts over £2 million)</p>	<p>“After the expiry of the period specified in the public notice and the contract notice, invitations to tender for the Contract shall be sent to</p> <p>(a) not less than five persons or bodies who have applied for permission to tender and who have been selected as suitable by the appropriate Portfolio Holder”</p>	<p>DELETE: “Portfolio Holder” in (a) and</p> <p>SUBSTITUTE: “Chief Officer”</p> <p>ADD after “Portfolio Holder” the following:</p> <p>“but only in respect of contracts valued in excess of £50,000 but less than the EU procurement thresholds”</p> <p>NB A clerical amendment of “four” to “ five” will be made.</p> <p>ADD new paragraph 6(d) as follows:</p> <p>“(d) In exercising their delegated authority under paragraph (a) above, Chief Officers will record the criteria used in decisions on the ad hoc list of tenderers and be required to supply a copy to the Chief Internal Auditor for audit purposes.</p>	<p>C7(6)(a) relates to approval of ad hoc tendering lists after public notice. Authority is currently required from Portfolio Holders but it is recommended that this should be amended to refer to the appropriate Chief Officer. This will avoid premature disclosure of the list of competitors via the Portfolio Holder decision process. Clarification of the contracts which are involved is also recommended, namely those contracts above £50,000 in value but below the EU limit</p> <p>It is proposed that a new paragraph (d) be added requiring Chief Officers to record their decisions for audit purposes.</p> <p>It is also recommended that this change in procedure be reviewed in 2012/13.</p>
<p>C8(2) (Open Tendering)</p>	<p>“For the purposes of this Standing Order, procedures should comply with the requirements of... C16 (Opening of Tenders)”</p>	<p>ADD new paragraph (to be numbered (3)) as follows:</p> <p>“(3) The procedures for the opening of tenders may be varied in accordance with CSO 19 (relating to pre-tender estimates).”</p>	<p>To clarify that arrangements for tender opening and the circumstances where a Portfolio Holder need not supervise (see CSO 19 below).</p>

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
C10(a)(1)(i)(Contractor Selection – All Contracts Valued at More Than £25,000)	<p>“(1) For contracts in excess of £25,000, under no circumstances shall an invitation to quote be given to any person or body:</p> <p>(i) whose names do not appear on Constructionline unless the trade required is not included on Constructionline...”</p>	DELETE (i)	This section is unduly restrictive and does not reflect the procurement options available via the Essex Procurement Hub and Contract Standing Orders. Constructionline remains an option for some types of contract.
C12 (Sub Contractors and Nominated Suppliers)	ADD NEW PARAGRAPH TO BE NUMBERED (3)	ADD new paragraph as follows:  “(3) Any contractor appointed by the Council to perform any contract shall not appoint a Sub Contractor to perform any part of that contract or any supplier without the prior written consent of the Council”.	This Contract SO relates to a Sub Contractor or supplier which may be nominated by the relevant Chief Officer to the appointed contractor. Any such Sub Contractor or supplier may only be nominated by the Chief Officer if competitive quotations are obtained in according with contract standing orders.  At present this CSO does not deal with a main contractor who wishes to sub contract. The proposed amendment is proposed in order to require that any such appointment is approved in advance by the Council.
C14(1) (Appointment of Consultants)	“... The Council’s standard forms of appointment for consultants shall apply in all cases unless the Director of Corporate Support Services directs otherwise. These are set out on the Council’s intranet.”	ADD new sentence at the conclusion of paragraph (1) as follows:  “All Chief Officers shall be required to take advice from the Council’s legal staff on the form of contract to be used and specific provisions to be included therein before any contract is executed.”	Places a responsibility on Chief Officers to consult fully with legal staff throughout the contract process so as to avoid complications at a later stage.

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
C14(2) (Engagement of Consultants)	“The engagement of consultants shall be in accordance with Standing Orders...”	ADD reference in (2) to C14(1) (Legal Advice on Contracts) – see preceding item	Ditto
C18 (Alterations)	<p>“(a) Quotations and tenders shall not be altered after the date stipulated for their return, save that the relevant Chief Officer shall permit correction of arithmetical errors if he is satisfied that such errors were made inadvertently.</p> <p>(b) If an error is identified before the closing date for the return of tenders, all the tenderers shall be informed of the error and invited to adjust their tenders.</p> <p>(c) If an error in the specification is identified after the closing date for the return of tenders, all tenderers shall be given details of the error and afforded the opportunity of withdrawing the offer or submitting an amended tender.”</p>	<p>ADD following note after (c):</p> <p>“NOTE: For the purposes of paragraph (a) above the term “arithmetical error” is defined as an error in addition, subtraction, multiplication or division which has no impact on the results of the tendering exercise. Where omissions or similar errors occur in the tender which, if corrected would change the outcome of the tendering exercise, such corrections will not be undertaken except as a result of further consultation with all tenderers. “</p>	Definition of what is an arithmetical error would assist in the interpretation of this CSO. Arithmetical error should not include errors which affect the value of the tender (e.g. major omissions from the costed tender specification).

CSO Number/Subject	Present Wording	Proposed Amendment	Comments
<p>C19(2) (Acceptance of Quotations £25,000 - £50,000)</p>	<p>“(1) A Chief Officer may accept the lowest quotation received in respect of a contract not exceeding £50,000 in value or amount; a quotation other than the lowest received shall not be accepted until the relevant Portfolio Holder has considered a report...”</p> <p>(2) Paragraph (1) above shall not apply where: ...</p>	<p>ADD new paragraphs (to be numbered (2)(c) and (d)) as follows:</p> <p>“(c) the relevant Chief Officer has obtained approval in advance of the terms under which quotations will be accepted from the Cabinet or the relevant Portfolio Holder and acceptance of a quotation is fully in compliance with that decision.</p> <p>(d) in cases where quotations received exceed the limit of £50,000, provided that the lowest quotation exceeds the pre-contract estimate by no more than 10%</p>	<p>Currently C19(2) requires a Chief Officer to obtain the approval of the Portfolio Holder if other than the lowest price quotation is to be accepted.</p> <p>This applies to quotations in the range of £25,000 - £50,000. To avoid delays in letting contracts, it is recommended that, provided that the Chief Officer has agreed the terms of acceptance in advance including the basis of evaluation and the proposal to accept a tender other than the lowest accords with those terms, the Chief Officer may make the decision.</p> <p>New paragraph (d) would enable the Chief Officer to accept the lowest quotation even if it exceeds the £50,000 limit, provided it is no more than 10% above the pre-tender estimate.</p>
<p>C20(3) (Acceptance of Tenders – Contracts Exceeding £50,000)</p>	<p>“(3) A tender other than the lowest received may only be accepted after acceptance by the Cabinet or the Council on the recommendation of the appropriate Chief Officer to the Portfolio Holder concerned.”</p>	<p>AMEND first sentence of (3) by the addition of the following:</p> <p>“... unless the terms for accepting a tender have been approved in advance and the acceptance of other than lowest tender is fully in compliance with that approval.”</p>	<p>See above.</p> <p>The same exception is applied to tendering for contracts in excess of £50,000. Contracts over £1 million are excluded however as still requiring Cabinet or Council approval.</p>

NEW AND REVISED OFFICER DELEGATION PROPOSALS – COUNCIL FUNCTIONS

NO.	DELEGATION REF/STATUS	PRESENT WORDING/ DELEGATED OFFICER(S)	PROPOSED CHANGE
1	CL39 (Freedom of Information) REVISED	<p>The present delegation in respect of FOI applications does not cover the Re-Use of Public Sector Information Regulations 2005.</p> <p>Officer Delegated: Assistant to the Chief Executive.</p> <p>In addition, in view of the increasing number of applications under the 2005 regulations for data collected from the Council's CCTV installations by the Police, Legal Firms and Insurance Companies, it is recommended that the Director of Environment and Street Scene be delegated to deal with those applications.</p>	<p>ADD additional paragraphs as follows:</p> <p>“To be responsible in accordance with the Council’s policy for administering requests for information under the Re-Use of Public Sector Information Regulations 2005, including the level of fees and charges to be made if information supplied is to be re-used”.</p> <p>(Officer Delegated: Assistant to the Chief Executive).</p> <p>“To be responsible for administering requests under the 2005 Regulations in respect of use of CCTV data, taking account of the Council’s policy and charging arrangements”.</p> <p>(Officer Delegated: Director of Environment and Street Scene).</p>

NO.	DELEGATION REF/STATUS	PRESENT WORDING/ DELEGATED OFFICER(S)	PROPOSED CHANGE
2	<p>NEW – Planning Delegation</p> <p>Approved by District Development Control Committee on 7.12.10 (Minute 30).</p>	<p>Consolidation of various delegated authorities exercised by the Director of Planning and Economic Development under one Directorate Heading.</p>	<p>See Appendix 2 to the report.</p> <p>To clarify the wording of item (f) of Schedule A, we are proposing that the existing wording be substituted with the following:</p> <p>(f) Those applications recommended for approval where there are more than two expressions of objections are received, material to the planning merits of the proposal to be approved, apart from approvals in respect of householder type developments, telecommunication masts, shop fronts and vehicular crossovers and “other” category developments (changes of use, advertisements, listed building consents, conservation area consents), where more than four expressions of objections material to the planning merits of the proposal to be approved are received.</p> <p>To clarify the wording of part (h) of Schedule A, we are proposing that the existing wording be substituted with the following:</p> <p>(h) Applications referred by a District Councillor, who’s own ward must be in the relevant Area Plans Sub-Committee and who has firstly notified the relevant Ward Councillors in advance, so long as the referral has been requested in writing to Officers within 4 weeks of that applications notification in the Council Bulletin.</p>



**Planning & Economic Development Delegations Schedule Number 1: Development Control**

Function:	Principal Relevant Legislation (*see note)	Relevant Details:	Exceptions:
<b>Care of the environment.</b>	<p>Town and Country Planning (Environmental Impact Assessments) (England and Wales) Regulations 1999</p> <p>Planning (Hazardous Substances) Act 1990, Section 36</p> <p>Planning (Hazardous Substances) Regulations 1992</p>	<p>To determine the need for and scope of environmental impact assessments required under the Town and Country Planning Acts.</p> <p>To determine applications for hazardous substances consent except those where there are objections from interested parties, which shall be determined by the relevant Area Planning Sub-Committee.</p> <p>To obtain and use necessary powers of entry to the land in relation to the above.</p>	No
<b>Development Control</b>	<p>Town and Country Planning Act 1990 Section 70, 70(A), 191-3 etc</p> <p>Planning and Compensation Act 1991, Section 10</p> <p>Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Part 1, Reg. 16-19</p> <p>Town and Country Planning (Development Management Procedure) (England) Order 2010, Part 6, Article 35</p> <p>Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 3, Reg. 14-15</p> <p>Town and Country Planning General Permitted Development Order 1995, Part 6 and Part 31 of Schedule 2</p>	<ol style="list-style-type: none"> <li>1. Subject to Schedule A below, which are matters to be determined by committee, to determine or decline to determine any: <ol style="list-style-type: none"> <li>a. planning applications,</li> <li>b. applications for approval of reserved matters,</li> <li>c. applications arising from any condition imposed on any consent, permission, order or notice,</li> <li>d. advertisement consents,</li> <li>e. listed buildings and conservation areas consents,</li> <li>f. discharge of conditions and</li> <li>g. non-material and minor material amendments.</li> </ol> </li> <li>2. To agree the precise wording of additional/ revised conditions to be attached to planning permissions, at members' request.</li> <li>3. To determine whether prior approval of the method of any proposed demolition and any proposed site restoration is required and to give such approval where required except where objections from interested parties are received, which shall be determined by the Area Plans Sub-Committees.</li> <li>4. In relation to telecommunications equipment, to determine, after prior consultation with ward Councillors, whether the prior approval of the Council should be required to the siting and appearance of notified development.</li> <li>5. In relation to agricultural development, to determine whether to require the formal submission of details.</li> <li>6. To determine applications in relation to certificates of lawful use and development.</li> </ol>	Yes

		7. To obtain and use necessary powers of entry to the land in relation to the above.	
<b>Enforcement</b>	<p>Town and Country Planning Act 1990 (as amended), Part 8, section 171-190, 196a,b,c, 215-219, 224, 324 and 325.</p> <p>Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 5, sections 27 and 30</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 4, sections 38 and 88.</p>	<p>Authority for Director of Planning &amp; Economic Development or Director of Corporate Support Services to:</p> <ol style="list-style-type: none"> <li>1. Issue Stop notices, Temporary Stop Notices, Enforcement Notices, Breach of Conditions Notices, Building Preservation Notices, Listed Buildings Enforcement Notices, Conservation Area Notices, Discontinuance Notices in respect of advertisements and Section 215-219 Notices for all breaches of planning legislation, in accordance with the Council's adopted enforcement policy.</li> <li>2. Prosecute the unauthorised display of advertisements, unauthorised works to a listed building, and non-compliance where enforcement action has previously been authorised.</li> <li>3. Take appropriate enforcement action, including serving an injunction where the Director of Planning and Economic Development and/or the Director of Corporate Support Services, or their nominee, having regard to the evidence considers the circumstances to require urgent action.</li> <li>4. Vary the requirements for compliance with notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices.</li> <li>5. Determine when action is not expedient in relation to breaches of control considered inconsequential or insignificant.</li> <li>6. Obtain and use powers of entry necessary in relation to the above.</li> </ol>	No

- Note: the authority to be updated to take into account changes in the relevant legislation. All references are to the legislation as currently amended.

Schedule A: Matters to be Determined by the Relevant Committee

- (a) applications contrary to the provisions of an approved draft or Development Plan, and which are recommended for approval;
- (b) applications contrary to other approved policies of the Council, and which are recommended for approval;
- (c) applications for major commercial and other developments, (e.g. developments of significant scale and/or of wide concern) and which are recommended for approval;
- (d) applications for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and which are recommended for approval)
- (e) the councils own applications on its land or property which are for disposal;
- (f) those applications recommended for approval where there are more than two expressions of objection material to the planning merits of the proposal to be approved and received, apart from:
  - 1. approvals in respect of householder developments and
  - 2. "other" category developments (i.e. changes of use, advertisements, listed building consents, Conservation Area consents, lawful development certificates, agricultural notifications, as well as telecommunications masts, shop fronts and vehicle crossovers),.
- (g) applications recommended for approval contrary to an objection from a local council which are material to the planning merits of the proposal;
- (h) applications which a Councillor representing a ward within the relevant Area Plans Sub-Committee area requests in writing within four weeks of notification in the Council Bulletin should be referred to the appropriate Sub-Committee provided that the member concerned has notified the Ward Councillor in advance;
- (i) applications where recommendation conflicts with a previous resolution of a Committee;
- (j) applications submitted by or on behalf of a Councillor of the Authority (and/or spouse/partner) or on behalf of a member of staff of Planning and Economic Development (and/or spouse/partner) and also in those cases where a councillor is an objector in a purely personal capacity;
- (k) any other application which the Director of Planning and Economic Development considers it expedient or appropriate to present to committee for decision (e.g. those raising issues not covered by existing policies, or of significant public interest, or those with a significant impact on the environment)
- (l) an application which would otherwise be refused under delegated powers by the Director of Planning and Economic Development but where there is support from the relevant local council and no other overriding planning consideration necessitates refusal.

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