

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 27 September 2011

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.15 pm

Members Present: Councillors K Angold-Stephens (Chairman), B Rolfe (Vice-Chairman), K Avey, R Barrett, R Bassett, A Boyce, W Breare-Hall, Ms R Brookes, K Chana, R Cohen, Mrs D Collins, D Dodeja, C Finn, Mrs R Gadsby, P Gode, Mrs A Grigg, Ms J Hart, D Jacobs, D C Johnson, Mrs S Jones, P Keska, J Knapman, Ms Y Knight, Mrs J Lea, L Leonard, J Markham, Mrs M McEwen, A Mitchell MBE, G Mohindra, R Morgan, J Philip, Mrs C Pond, W Pryor, Mrs P Richardson, B Sandler, Mrs P Smith, P Spencer, D Stallan, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland, Ms S Watson, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors Mrs T Cochrane, J Hart, A Lion, S Murray, S Packford, Mrs M Sartin, Ms S Stavrou and G Waller

Officers Present: D Macnab (Acting Chief Executive), C O'Boyle (Director of Corporate Support Services), 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), R Perrin (Democratic Services Assistant) and T Carne (Public Relations and Marketing Officer)

60. 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.

61. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 26 July 2011 be taken as read and signed by the Chairman as a correct record.

62. DECLARATIONS OF INTEREST

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

63. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) Attendance at Events

The Chairman reported on his attendance at the Council's Summer Play Schemes at the Metropolitan Police Sports Club in Chigwell. He thanked all the staff involved in making the Play Schemes successful despite the indifferent weather conditions.

The Chairman advised that he had visited the sites in Epping Forest being improved by over 100 Explorer Scouts. He referred to the work they had undertaken to clear the pond at Snaresbrook.

The Chairman said he had enjoyed the 1940 Theme Mess function organised by the Epping and North Weald Squadron of the RAF Air Cadets held in the Control Tower at North Weald Airfield. The Chairman advised that the Air Cadets had waited on their guests and he had been very impressed with their attention to detail.

The Chairman reported on his attendance at the City Harvest Festival held at Capel Manor College which had celebrated the 13th anniversary of farming and community gardening in London. He advised that there were over 50 gardens and 17 farms throughout London which produced high quality food and cared for a variety of animals. He pointed out that they provided a great opportunity for children to experience the countryside and animals within London.

The Chairman said he had attended the "I Love Music Festival" held at the Council's District Museum. He advised that the event had been a great credit to Epping Forest Arts and the Museum.

The Chairman referred to his attendance at the signing of the Business Charter which had represented an important part of the Council's commitment to help sustain local businesses and to encourage residents to shop locally.

The Chairman said he had intended to take part in the Starlight Walk in Loughton in aid of St Clare Hospice and had been disappointed that the event had been cancelled due to a poor response. The previous year a similar event had raised £13,500 and the cancellation of this year's event would leave a gap in the Hospice's finances.

The Chairman expressed disappointment at the limited number of councillors who had volunteered to take part in the White Water Rafting event in aid of his charity. He reminded members that they could sponsor those taking part.

The Chairman reported on the Civic Lunch held at The Warren, at which an informed talk and walk through Epping Forest and a themed lunch had been well received. He advised that the event had raised approximately £300 for his charity.

The Chairman congratulated Councillor J M Whitehouse on finishing 10th in the Copped Hall Five Mile Run organised by the Epping Rotary Club.

Finally, the Chairman advised that the District Council had won the annual Petanque match with Epping Town Council and he presented the trophy to Councillor D Stallan.

(ii) Floral Display

The Chairman announced that he intended to send the flowers from tonight's meeting to St Clare Hospice.

(b) Announcements by the Leader of Council

The Leader advised that she had no announcements to make under this heading.

(c) Announcements by Portfolio Holders

The meeting noted that there were no announcements to be made under this heading.

64. PUBLIC QUESTIONS (IF ANY)

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

65. 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, the Safer, Greener and Highways Portfolio Holder, and the Support Services Portfolio Holder.

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

(a) Leader and Legal Portfolio Holder

The Leader advised that in relation to the legal aspects of her Portfolio a lot of work had been undertaken which had contributed to the other Portfolios.

The Leader referred to the disorder in different parts of the country in early August and stated that in this District there had been comparatively little disturbance. Arrests had been made in relation to damage to and theft from a shop in Buckhurst Hill and as a result of young people throwing stones in Loughton High Road. The Leader advised that debris/litter from an act of arson in a distribution centre in the adjoining London Borough of Enfield had entered the District but this had been non-toxic material and consideration was being given as to how this could be best cleared up. The Leader thanked Essex Police for their quick responses when required. The Leader congratulated Council Officers for the work they had undertaken and referred specifically to the accurate briefings she had received from the Safer Communities Team. She contrasted this with some inaccurate information which had been generated in certain quarters and advised that together with the Local Strategic Partnership consideration was being given as to the ways in which accurate information could be better provided to the public in relation to such events in future.

The Leader advised that she had given an interview to Essex Radio regarding the Olympic Games during which she had encouraged residents to plan ahead in relation to any proposed local events and had given an assurance that bureaucracy would not be put in the way of any such events. The Leader advised that she had also taken the opportunity to draw attention to the Leap cultural events which would be taking place in the District between October and May in the build up to the Olympic Games.

The Leader reported that she had chaired the Business Charter launch referred to earlier by the Chairman and that consideration was being given as to further steps which could be taken by the Council in order to encourage residents to spend locally.

The Leader advised that she had recently attended a meeting of the Essex Leaders and Chief Executives. Three main items had been discussed, the Essex Integrated Strategy, the proposed changes to Council Tax Benefit, and the Dale Farm, Basildon situation. The Leader advised that this Council had been given key seats on a group considering a response to the consultation regarding the proposed changes to Council Tax Benefit. The Leader said that she had made a case against the pooling of community infrastructure levy monies. The Leader drew attention to information which had been placed on the Council's website, designed to assist landowners and the public if they thought land being used as a travellers' camp site was unsuitable.

The Leader advised that she had chaired a Working Group of the North London Strategic Alliance looking at the West Anglian corridor in terms of investment and job creation.

Finally, the Leader drew attention to a meeting held with Bob Neill, Parliamentary Under Secretary of State at the Department for Communities and Local Government who had responsibility for local government and planning. She advised that the Planning and Technology Portfolio Holder would expand on matters discussed at this meeting.

(b) Environment Portfolio Holder

Councillor Knapman advised that the Cabinet had approved an extension of the Waste Management contract with Sita UK which would lead to a saving of £2.4 million over a three year period. He pointed out that this had been achieved with no reduction in the level of service.

Councillor Knapman advised that the lake in the Roding Valley had almost returned to its full level by natural means. He advised that consideration was being given as to what steps could be taken to make it easier for people with disabilities to fish at the lake.

Councillor Knapman drew attention to a decision taken by the County Council the previous week to have a waste transfer station at Harlow.

The Portfolio Holder also advised that together with County Councillor Gerard McEwen, he had entered into discussions with the County Council Portfolio Holder regarding the proposed closure of the Ongar Recycling site. Councillor Knapman stated that assurances had been sought regarding the financial estimates associated with closure.

(c) Finance and Economic Development Portfolio Holder

Councillor Mohindra drew attention to his written report in which he had advised that Moody's had been appointed to provide a credit rating for the Council in order to give the Council the best possible options for reviewing and obtaining external finance from the self-financing debt settlement. The Portfolio Holder advised that on 19 September 2011 a change in Public Works Loan Board interest rates had been announced which had made market financing less attractive and undermined the case for obtaining a credit rating. He expressed frustration that such a decision had not been taken six months earlier and advised that as a result of this latest decision a

report would be submitted to the next meeting of the Cabinet seeking to reverse the decision to obtain a credit rating for the Council as part of the borrowing process.

(d) Housing Portfolio Holder

Councillor McEwen drew attention to the invitation to all members to visit the Council's recently extended and refurbished 24-hour Careline control centre at Parsonage Court, Loughton on Friday 30 September 2011 at 2.00 p.m.

(e) Leisure and Wellbeing Portfolio Holder

Councillor Gadsby advised that she had attended a site meeting to assess the progress being made with the redevelopment of Limes Farm Hall. She reported that the building now had a completed roof and main structure and was looking impressive. However, delay issues relating to steelworks and a high power electrical connection would result in the expected handover taking place in December and not November 2011.

(f) Planning and Technology Portfolio Holder

Councillor Philip referred to the meeting with Bob Neill, Parliamentary Under Secretary of State at the Department for Communities and Local Government which he had attended together with the Leader, Councillor Bassett and Council Officers. The Parliamentary Under Secretary had advised that over 700 responses had been received to the Government's Gypsy and Traveller Consultation Document and in view of this scale of response there would not be any quick decisions taken by Government. Councillor Philip advised that this number of responses had been put in context with the 10,700 responses received by this Council to its earlier consultation exercise. The Council noted that the Under Secretary of State had indicated that any local authority which had been acting responsibly would not be unduly penalised. The Parliamentary Under Secretary had studied this Council's response and had been able to confirm that all of the matters raised would be considered. Councillor Philip advised that attention had been drawn to the delay in the preparation of a Local Development Framework due to resources being diverted to the Gypsy and Traveller issues. It had been pointed out that the Local Development Framework was likely to be renamed Local Plan in the near future and it had been suggested that this Council's representatives should meet with the Government's Chief Planning Officer to discuss transitional arrangements before the Council had an adopted Local Plan. Councillor Philip advised that this meeting was likely to take place in October or November 2011. Councillor Philip reported that the Parliamentary Under Secretary of State had also advised that the National Development Framework would continue to protect the Green Belt.

Councillor Philip reported that the Council had been successful in defending an appeal regarding The Meadows.

(g) Safer, Greener and Highways Portfolio Holder

Councillor Smith drew attention to the item concerning parking reviews in her written report and stated that following a meeting the previous day with the County Council Design Team Manager, a time line had been established for the three local parking schemes, full details of which would appear in the next Council Bulletin. Councillor Smith advised that the key dates in relation to the Epping Parking Review were 6 October 2011 for advertisement in the local newspaper; 28 October 2011 sealing of the Order by the County Council; November-December 2011 preparation of schedules of rates and costing of the work to be carried out by the contractor;

16 January 2012 commencement of signing and lining work; and 31 March 2012 the estimated end of all signing and lining work.

66. QUESTIONS BY MEMBERS WITHOUT NOTICE

(i) Buckhurst Hill Parking Review

Councillor Spencer asked the Safer, Greener and Highways Portfolio Holder if the proposed timescale for the completion of the Epping Parking Review would result in commencement of the Buckhurst Hill Scheme being delayed until after 31 March 2012.

Councillor Smith, Safer, Greener and Highways Portfolio Holder, advised that there had been no change from the timescale reported previously in relation to the Buckhurst Hill and Loughton Broadway Parking Reviews being progressed on a phased manner after completion of the Epping Parking Review.

(ii) Tickets for the Olympic Games

Councillor Stellan referred to the minutes of the meeting of the Council held on 28 June 2011 and asked the Leisure and Wellbeing Portfolio Holder when a decision would be taken by the Cabinet in relation to tickets which had been offered to the Council. In that regard he questioned reference in the recent edition of the Forester which had indicated that tickets would be given to the Citizen of the Year and the Young Citizen of the Year.

Councillor Gadsby, Leisure and Wellbeing Portfolio Holder, stated that she would speak to officers and would advise Councillor Stellan of the outcome.

(iii) Leader Lodge, North Weald – Designated Protected Area Status for North Weald

Councillor Grigg asked the Housing Portfolio Holder for information regarding the designated protected area status conferred nationally on rural areas, including North Weald, and the effects of this on the provision of shared ownership.

Councillor McEwen, Housing Portfolio Holder, advised that she would speak to officers and would respond to Councillor Grigg in writing.

(iv) Brooker Road/Cartersfield Road Industrial Estate, Waltham Abbey

Councillor Wixley asked the Finance and Economic Development Portfolio Holder what had happened during the period from the expiry of a long standing ground lease in 2004 until the entering into a new lease reflecting the full market value of the buildings in 2011. He also asked for what period the sum of £24,000 per annum would apply and he sought clarification of the term "full rack rent".

Councillor Mohindra, Finance and Economic Development Portfolio Holder, advised that he would need to check the period of the previous lease but he suspected that there had been a typographical error in his report. He stated that he would speak to officers about this issue and also the length of time for which the £24,000 per annum would apply and he would make the information available to members. Councillor Mohindra asked the Leader and Legal Portfolio Holder to define "full rack rent".

Councillor Wagland, Leader and Legal Portfolio Holder, advised that the term, "full rack rent", simply meant the open market rent.

(v) Fire Safety in Council Flats and Maisonettes

Councillor Richardson asked the Housing Portfolio Holder for a progress report in relation to the provision of mats, etc. in communal areas of flats and maisonettes.

Councillor McEwen, Housing Portfolio Holder, advised that she had no further report to make at this time. She pointed out that the letter received from the appropriate Minister in response to the Council's request for a dispensation had not been very helpful and she was not aware that any further steps had been taken since the receipt of that letter.

(vi) Grounds Maintenance Service/Council Nursery

Councillor Jennie Hart referred to a reference in a report to the last Cabinet regarding consideration of taking the street cleansing element out of the extended Waste Management Contract and tendering it as a Street Scene contract alongside the Grounds Maintenance Service. She pointed out that the suggestion had been rejected on the basis of an external evaluation on the Grounds Maintenance Service which had established that no overall benefit would be likely to accrue from such an action. Councillor Hart asked the Environment Portfolio Holder, in the light of this previous decision and the possibility of the Council's Nursery being moved to Oakwood Hill in order to permit redevelopment of the current site, whether any cost/efficiency exercise had been undertaken in relation to this proposed relocation.

Councillor Knapman, Environment Portfolio Holder, confirmed that for reasons of quality and value for money, the Cabinet had decided to retain the Grounds Maintenance Service in-house. He advised that no decision had yet been made regarding the future of the current Nursery site and that all of the options would need to be considered carefully taking into account cost and efficiencies.

(vi) Ongar Re-cycling Centre

Councillor Jacobs advised that Ongar residents were very concerned about the proposed closure of the Re-cycling Centre and asked the Environment Portfolio Holder if other options such as a reduction in hours had been considered rather than a complete closure of the Centre.

Councillor Knapman, Environment Portfolio Holder, advised that he had asked the County Portfolio Holder to justify the figures on which the proposed closure had been based. He said that he had some concern about those figures. He said that he was also well aware of the local concerns and the major problems which would arise if the Centre was closed.

(vii) Leisure/Sports Facilities and Limes Farm Hall

Councillor Whitbread welcomed the proposed extension of the existing Contract with the Council's leisure providers, SLM, until January 2016. He expressed disappointment however, that there had been delays in completion of the redevelopment of Limes Farm Hall and sought an assurance that despite these delays the project would still be delivered on budget.

Councillor Gadsby, Leisure and Wellbeing Portfolio Holder, advised that the last report which had been provided showed that the project was within budget.

Councillor Wagland drew attention to issues which could arise with building contracts and assured Councillor Whitbread that the Cabinet would investigate the circumstances of the delays and take action as appropriate.

(viii) Reduction of Carbon Footprint and Provision of Solar Panels

Councillor Sutcliffe referred to the Council's Statutory Statement of Accounts which included an objective to substantially reduce the amount of CO₂ and the other greenhouse gases the Council emitted through its services and operations. She drew attention to the viability of solar panels and asked if any active steps were being taken to encourage the use of these on new buildings, particularly large developments when planning applications were under consideration. She also asked if there were any plans to install panels on social housing for the long-term economic benefit to the Council and its tenants.

Councillor Philip, Planning and Technology Portfolio Holder, advised that the Housing Directorate were already pursuing such a policy. In relation to planning applications, he pointed out that each scheme had to be dealt with on its merits and the provision of solar panels would be a matter for consideration by Planning Officers and Planning Committees at the time.

(ix) Epping Parking Review

Councillor J M Whitehouse referred to the timescale for implementation of the Epping Parking Review and questioned whether the Traffic Regulation Order would come into force on 16 January 2012 at the commencement of signing and lining work or on 31 March 2012 the estimated end of all signing and lining work. He stated that if it was the latter would it not be possible to speed up the process of signing and lining work.

Councillor Smith, Safer, Greener and Highways Portfolio Holder, stated that she would need to study the schedule which was to be published. She pointed out that during November/December 2011 the County Council would be re-tendering its Works Contracts across the County and this would have an impact on timescales. She continued that she believed the Traffic Regulation Order would be effective from 16 January 2012 but would not be enforceable until lines had been painted and appropriate signage had been provided in the various streets.

(x) Federation of Small Businesses

Councillor Collins referred to the increase of 21% in membership of the Federation of Small Businesses from businesses within the Epping Forest District. She suggested that this was partly due to the encouragement given to businesses in the past by members, particularly the previous Business Champion, and officers. Councillor Collins asked if the new Business Champion would be attending Federation meetings regularly and reporting back to Council on a regular basis.

Councillor Wagland, Leader and Legal Portfolio Holder, advised that Councillor Mohindra, Business Champion, had indicated to her that it was his intention to attend appropriate meetings and report back on them. Councillor Wagland continued that she was working closely with Keith Brown of the Federation of Local Businesses. She said that she sat on a number of groups with him and that at present they were progressing arrangements between traders and the Epping Forest College aimed at increasing custom for traders in Loughton Broadway.

Councillor Wagland said that she was working hard to persuade local residents to use their local facilities and with small businesses to ensure that they provided the type of service required.

67. MOTIONS

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

68. QUESTIONS BY MEMBERS UNDER NOTICE

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

69. STATUTORY STATEMENT OF ACCOUNTS 2010/11

Mover: Councillor Watts – Chairman of the Audit and Governance Committee

Councillor Watts submitted a report which had been considered by the Audit and Governance Committee. He drew attention to the changes to the contents of the Statutory Statement for 2010/11 and to the independent auditors' comments. The auditors had concluded that they were satisfied that, in all significant respects, the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in issues and resources for the year ended 31 March 2011.

Councillor Mohindra thanked members of the Audit and Governance Committee for their consideration of the Statutory Statement. He drew attention to the Council's financial position which had enabled its response to the austerity programme to be more measured than many other authorities who had already cut jobs and services.

Report as first moved ADOPTED

RESOLVED:

That the Statutory Statement of Accounts for 2010/11 be adopted.

70. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - REDEVELOPMENT OF THE TOILET BLOCK IN BAKERS LANE, EPPING

Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder

Councillor Mohindra submitted a report seeking a supplementary capital estimate to enable the engagement of consultants to prepare and submit a planning application for the redevelopment of the toilet block in Bakers Lane, Epping for use as a restaurant/takeaway service.

Report as first moved LOST

RESOLVED:

That a supplementary capital estimate in the sum of £5,000 be not approved for 2011/12 to enable the engagement of consultants to prepare and submit a

planning application for the redevelopment of the toilet block in Bakers Lane, Epping for use as a restaurant/takeaway service.

(Recorded in accordance with Council Procedure Rule 16.5, that Councillor Grigg abstained from voting on this matter.)

71. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - COUNCIL PROCEDURE RULE 2 - OUTSIDE ORGANISATIONS

Mover: Councillor Bassett, Chairman of the Committee

Councillor Bassett submitted a report proposing changes to Council Procedure Rule 2 which stated that the Council would receive reports about and receive questions and answers on the business of joint arrangements and external organisations.

Report as first moved ADOPTED

RESOLVED:

That Council Procedure Rule 2 be amended by substituting the existing paragraph (ix) with the following:

"(ix) receive from Council representatives written reports circulated in advance with the agenda for the meeting concerned on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice."

and by adding the following new Rule (to be numbered (x)):

"(x) request written reports from representatives on joint arrangements and external organisations for future meetings";

and that the following sub-paragraphs of Rule 2 be renumbered accordingly.

72. REPRESENTATIONS ON OUTSIDE ORGANISATIONS - ASSOCIATION OF RETAINED COUNCIL HOUSING (ARCH)

The meeting noted that the Leader of the Council had nominated Alan Hall, Director of Housing, as a member of the Executive of ARCH. The Leader reported that more nominations had been made than the places available but that Mr Hall had been co-opted as a member of the Executive of ARCH.

73. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

There were no reports on the business of joint arrangements and external organisations under this item.

Councillor J H Whitehouse requested that a written report be made to the next meeting by Councillor Pryor, the Council's representative on the Royal Gunpowder Mills in view of the forthcoming Olympic Games. Councillor Pryor agreed to submit a written report to the next meeting.

Councillor Morgan, the Council's representative on the Stansted Airport Community Trust advised that he would submit a written report to the next meeting on the work of the Trust.

74. 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 I 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 and Paragraph Number
16	Report of the Cabinet – Supplementary Estimate – Proposed Development of the Council's Pyrles Lane Nursery Site, Loughton	3

75. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - PROPOSED DEVELOPMENT OF THE COUNCIL'S PYRLES LANE NURSERY SITE, LOUGHTON

Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder

Councillor Mohindra submitted a report seeking supplementary capital estimates to purchase two parcels of land in the vicinity of the Council's Pyrles Lane Nursery site in order to facilitate the sale of the Nursery site for residential development.

Report as first moved ADOPTED

RESOLVED:

That, supplementary capital estimates of £239,000 and £21,200 be approved for 2011/12 to purchase two parcels of land in the vicinity of the Council's Pyrles Lane Nursery site in order to facilitate the sale of the Nursery site for residential development.

CHAIRMAN