

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 6 November 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.27 pm

Members Present: Councillors B Rolfe (Chairman), Mrs M Sartin (Vice-Chairman), K Angold-Stephens, K Avey, R Bassett, Mrs H Brady, W Breare-Hall, G Chambers, K Chana, T Church, Mrs T Cochrane, Mrs R Gadsby, L Girling, P Gode, Mrs A Grigg, J Hart, Ms J Hart, D Jacobs, Mrs S Jones, Ms H Kane, P Keska, J Knapman, Ms Y Knight, Mrs J Lea, L Leonard, A Lion, Mrs M McEwen, H Mann, J Markham, A Mitchell MBE, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, B Sandler, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, H Ulkun, Mrs L Wagland, G Waller, Ms S Watson, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, D Wixley and J Wyatt

Apologies: Councillors A Boyce, R Cohen, C Finn, Mrs T Thomas, J M Whitehouse and N Wright

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy 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)), A Hendry (Democratic Services Officer), P Seager (Chairman's Secretary) and T Carne (Public Relations and Marketing Officer)

55. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive, on behalf of the Chairman of the Council 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.

56. MINUTES

RESOLVED:

That the minutes of the meeting held on 27 September 2012 be taken as read and signed by the Chairman as a correct record subject to the addition of the following preamble to Minute 48 (Report of the Cabinet – Supplementary DDF Estimate – North Weald Airfield Consultancy):

“Councillor Watson sought an assurance that a report would be made to the next Council meeting specifying how the Local Plan process and the North Weald Airfield Consultancy exercise would dovetail in terms of key dates.

Councillor Grigg agreed to report to the next Council meeting on this matter”.

57. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Gadsby declared a disclosable pecuniary interest in agenda item 20 (Representation on Outside Organisation – Grange Farm Managing Trustees). The Councillor stated that she would leave the meeting for the consideration and voting on this matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor Smith declared a non-pecuniary interest under the paragraph 8.1 of the Code in agenda item 20 (Representation on Outside Organisation – Grange Farm Managing Trustees) by virtue of being a Trustee of the Grange Farm Trust nominated by the District Council. The Councillor stated that as the item related to the filling of a vacancy on the Trust and did not constitute a disclosable pecuniary interest as it did not involve any regulatory decision which affected the Trust's interests she proposed to remain in the meeting for the consideration and voting on that item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Sartin declared a non-pecuniary interest in agenda item 8 (Motions – Stansted Airport – Proposed Charges) by virtue of being the Council's appointed representative on the Stansted Airport Consultative Committee. The Councillor stated that she would remain in the meeting for the consideration and voting on this matter.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Church declared a non-pecuniary interest in agenda item 6 (Report of the Safer, Greener and Highways Portfolio Holder – Highways and Planning) by virtue of owning a property in a road adjoining St John's Road which was to be the subject of a residents' parking scheme and in respect of which he would be asking a question later in the meeting.

58. ANNOUNCEMENTS**(a) Announcements by the Chairman of the Council****(i) Civic Lunch – 27 September 2012**

The Chairman reported on the Civic Lunch held at the Lambourne End Outdoor Centre which had been attended by the Chairmen and Mayors of other local authorities. He advised that this had been an opportunity for the Centre to make itself known to the civic representatives throughout the county and that as a result of the day he understood that Southend Borough Council would be considering the arrangement of trips and courses to the Centre for people from Southend. The Chairman reported that all the food for the lunch had been produced on the site. He advised members that he had donated £1,000 from his charity to the Centre to assist them in furthering their work.

The Chairman reported that during the day he had agreed to attend the opening of a new 350 metre zip-wire at the Centre and as a result had been expected to ride on the wire. He reported that he had successfully completed the run and he thanked those members who had agreed to sponsor him for his charity and encouraged others to do so even though it was now after the event.

(ii) International Day for the Elderly

The Chairman reported that the UK Older People's Day had been held on 1 October 2012 to coincide with the UN International Day for Older Persons. The main aim of the day had been a national celebration of the achievements and contributions that

older people had made to society. He advised that it had presented an opportunity for older people to meet with younger people and that the celebrations in this district had been a great success.

(iii) Carol Service

The Chairman referred to the Council's Carol Service being held at St John's Church, Epping on 14 December 2012. He advised members that they had already received an invitation to this event and he expressed the hope that they would all be able to attend.

(iii) Floral Display

The Chairman announced that he intended to send the flowers from tonight's meeting to Frank Foster House at Theydon Bois.

(b) Announcements by the Leader of the Council

The Leader advised that he had no announcements to be made under this heading.

(c) Announcements by Portfolio Holders

(i) Asset Management and Economic Development Portfolio Holder

Councillor Grigg referred to the request made by Councillor Watson at the last meeting as to how the review of North Weald Airfield was to be managed to ensure that it dovetailed with the development of the Local Plan.

Councillor Grigg stated that at the last meeting she had confirmed that a review of the Airfield would be a material part of the development of the Local Plan. She continued that the brief to be issued to consultants, as part of the procurement process, was considered and approved, subject to any amendments agreed by herself, at the North Weald Airfield and Asset Management Cabinet Committee on 30 October 2012. The Portfolio Holder stated that the brief emphasised the linkages between the two exercises and required that the Airfield review was completed with recommendations able to be considered by the Cabinet such that they could be included within the Local Plan "Preferred Options" Consultation Exercise scheduled around the middle of 2013.

Councillor Grigg stated that she was unable at present to provide members with firm dates since they were still subject to review by officers and Fortismere, the Council's appointed Local Plan Project Management Consultants, and ultimately by the Planning Portfolio Holder.

Councillor Grigg stated that this information had also been provided to members in a recent Council Bulletin.

59. PUBLIC QUESTIONS (IF ANY)

(a) Local Plan Issues and Options Consultation

(i) By Mr G Osen, Chigwell Residents' Association to Councillor Bassett, Planning Portfolio Holder

In the absence of Mr G Osen, by leave of the Council, the following question was asked by Mr E Bow, Chairman of the Chigwell Residents' Association

“ Does the Council generally consider and/or implement the views of the Local Plan inspector?”

Response by Councillor Bassett, Planning Portfolio Holder

“The new Local Plan will be subject to an Examination in Public conducted by an independent Inspector who will review the evidence gathered by the Council and decide whether or not the plan is sound.

The examination process provides the opportunity to respond to the views of the Inspector once he has the opportunity to form an opinion”.

(ii) By Mr G Osen, Chigwell Residents' Association to Councillor Bassett, Planning Portfolio Holder

In the absence of Mr G Osen, by leave of the Council, the following question was asked by Mr E Bow, Chairman of the Chigwell Residents' Association

“The Local Plan inspector has previously stated that Chigwell Brook Valley is strategically important (i.e. 'the potential loss of this area of Green Belt for residential development would have a significant impact on the setting of the Chigwell Brook Valley'). Therefore as development on CHG-D would destroy this area of Green Belt will this result in it being removed from the draft Plan?”

Response by Councillor Bassett, Planning Portfolio Holder

“The question is not specific about which previous Inspector is referred to, so it is difficult to comment further. However, the position at a national and regional level has changed since the last Inspector's report into Local Plan Alterations in 2006.

The current process is undertaking the comprehensive review of available sites suggested by the Inspector in that report.

If Mr Osen would like to provide some further details we will endeavour to provide a more specific answer”.

Supplementary Question from Mr Bow

Mr Bow asked the Portfolio Holder if he agreed that the housing proposals for the Chigwell Brook Valley as set out in the Local Plan consultation document would have a huge impact and destroy that area.

Reply to the supplementary question from Councillor Bassett

Councillor Bassett emphasised that the consultation to date had been on all the issues and options identified. He said that he was aware that there had been many responses from Chigwell residents and he would like to take this opportunity to thank those who had responded. He continued that the current list of issues and options would now be considered by members in a series of workshops and at that stage councillors would be able to stress points made by respondents to the recent consultation exercise. Councillor Bassett stated that this could then result in the removal of sites which were not considered suitable or which might cause problems for the community. He repeated that at this stage no decisions had been made with respect to any sites.

(iii) By Mr E Bow, Chairman of Chigwell Residents' Association to Councillor Bassett, Planning Portfolio Holder

“(1) Is it appropriate to include Green Belt sites not put forward by owners in the Local Plan when brownfield sites owned by the Council have not been included? Why?”

(2) Does the Council consider that sites under multiple ownership and not listed in the call for sites by owners are deliverable under the Local Plan?”

Reply from Councillor Bassett, Planning Portfolio Holder

“At this stage the Council has undertaken a consultation on the Issues and Options stage of the Local Plan preparation. Sites identified by the Strategic Land Availability Assessment formed a significant part of the evidence on which this consultation document was based. As part of this process all land owners/agents were invited to tell the Council whether they would object to or support the development of their land. I am not sure which Council-owned brownfield sites Mr Bow feels have been omitted. If he could clarify I will provide a more specific response.

A detailed assessment is now being undertaken to assess the deliverability of the sites based on the evidence gathered during the consultation. Clearly land within single ownership will probably be easier to develop than land under multiple ownership”.

Supplementary Question from Mr Bow to Councillor Bassett

Mr Bow drew the attention of the Portfolio Holder to the views of Nathaniel Lichfield and Partners in relation to the Glebelands and Vicarage Lane sites and asked why these had been included as one site in the consultation document.

Reply to the supplementary question from Councillor Bassett

Councillor Bassett advised that he would need to speak to Nathaniel Lichfield and Partners in order to provide an answer to such a detailed question. He undertook to send Mr Bow a written reply following discussions with them. The Portfolio Holder pointed out however that account would need to be taken of such things as assessability and suitability for development. He emphasised that the aim had been to provide the public with sufficient information about sites to enable them to make meaningful responses.

60. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Asset Management and Economic Development Portfolio Holder, the Environment Portfolio Holder, the Finance and Technology Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning Portfolio Holder, the Safer, Greener and Highways Portfolio Holder and the Support Services Portfolio Holder.

The Chairman invited the Leader to provide an oral report and other members of the Cabinet to give an oral update of their written reports.

(a) Leader of the Council

Councillor Whitbread reported that as Chairman of One Epping Forest, the Local Strategic Partnership, he had attended a meeting of the Board at which there

had been a presentation from the Head of Planning and Regeneration of the Lee Valley Regional Park Authority. He advised that the presentation had focussed on the Park Authority's aspirations for the future and in particular how they planned to maximise the legacy benefit of the Olympics facility. Councillor Whitbread reported that the Board meeting had also received an update on the work being undertaken by the Tourism Sub-Committee. He advised that this Sub-Committee brought together a range of partners to promote the opportunities to visit this area and hopefully spend money as well as time in the district to aid the local economy. The Portfolio Holder drew attention to the website they had recently developed – www.visiteppingforest.org – which had already received several thousand hits.

The Leader reported that together with the Asset Management and Economic Development Portfolio Holder he had met representatives of the Local Chamber of Commerce to explore what further steps the Council could take to support local businesses. He said that he proposed to bring forward some of those ideas to a future meeting.

Councillor Whitbread reported that he had attended a conference on 12 October run by One Epping Forest to discuss some of the implications of the changes in the delivery of Health Services within the district. He advised that further details of this conference were contained in the Leisure and Wellbeing Portfolio Holder's report and he expressed the view that it had been very useful to bring key partners together to discuss the issues.

The Leader stated that he had met the Chairman and Clerk of North Weald Bassett Parish Council and the two local Ward Members to discuss future play provision in the village and to clarify the issue of landing fees and operating costs of North Weald Airfield. He stated that he understood the Parish Council would now be undertaking some community consultation on suitable locations for a playground and to address some of the young persons' issues in the area.

Councillor Whitbread stated that the previous week he had meet County Councillor John Aldridge, appointed as lead liaison member for this district. Councillor Whitbread stated this had been a useful meeting and that he was confident the new Locality Board arrangements in the form of revised terms of reference for the existing Cabinet, Management Board, local County Councillors, local M.P.'s quarterly meetings would provide an effective way to coordinate services. He emphasised the need to work closely with the County Council as partnership working was becoming more important.

Councillor Whitbread drew attention to the significant amount of correspondence he had received in relation to the Local Plan Issues and Options consultation exercise. He drew attention to the report of the Planning Portfolio Holder which gave details of the level of responses. Councillor Whitbread advised that at a meeting the previous week together with the Chief Executive he had met Eleanor Laing M.P. in order to address some of the concerns which had been expressed to her by her local constituents about the Local Plan process.

(b) Finance and Technology Portfolio Holder

Councillor Stavrou reported that the Local Government Finance Act 2012 had received Royal Assent. She pointed out that the Cabinet had already taken decisions in relation to the Local Council Tax Support in anticipation of the legislation and recommendations would be submitted to the next Council meeting.

The Portfolio Holder advised that work on the budget for next year was continuing but that it was now apparent that the grant figures would not be available until 20 December 2012. Accordingly officers would be busy over the Christmas/New Year period.

The Council noted that no further information had been received in relation to the calculation of the Council Tax Base but that as soon as details were available these would be shared with members.

Councillor Stavrou reported that in 1980 the then Department of Transport had compulsorily purchased land in Brooker Road/King George Playing Fields, Waltham Abbey. After lengthy negotiations the Council's title to the land had been accepted and a compensation payment of £336,001 had now been received. Councillor Stavrou thanked officers in the Council's Legal Section, particularly Alison Mitchell, for their endeavours over a prolonged period of time.

(c) Planning Portfolio Holder

Councillor Bassett drew attention to an error in his written report regarding the Sainsbury's Judicial Review. He advised that reference to Pyrles Lane should have been to Rectory Lane/Chigwell Lane.

61. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Police and Crime Commissioner Election for Essex

Councillor Murray referred to the written reports of the Safer, Greener and Highways Portfolio Holder and the Support Services Portfolio Holder regarding the forthcoming election on 15 November 2012. He asked the Portfolio Holders how he should reply to residents who had informed him that they had received no direct communication from any of the candidates, that they were unaware of the role of the Commissioners, and that in the current difficult economic times there were far better ways to spend the money than on these unnecessary and unwanted elections.

Councillor Waller, Safer, Greener and Highways Portfolio Holder referred to a statement made by the Prime Minister that it might be some time before the benefits of Commissioners were realised. The Portfolio Holder acknowledged that turnout might not be high and that it was not easy to find out information about candidates. He pointed out that his Group had worked hard to inform residents about the Conservative candidate but could not of course be expected to provide details of the other candidates. He also advised that at present residents knew very little about the workings of the Essex Police Authority which was to be replaced by the Commissioner.

(b) Buckhurst Hill Parking Review

Councillor Spencer asked if the timetable of works for this review including Scotland Road would be available before Christmas 2012.

Councillor Waller, Safer, Greener and Highways Portfolio Holder stated that he had arranged a further meeting with all the Buckhurst Hill Ward members for the following day. He expressed the hope that this would be a productive meeting and thanked those members for their input to date. He said that he could not give a detailed answer to the question until the scope of the scheme had been agreed. He expressed the hope that the scheme would satisfy the views of local residents and would achieve tangible benefits.

(c) Local Plan – Issues and Options Consultation

Councillor Wagland referred to the responses to the Issues and Options consultation exercise. She asked the Planning Portfolio Holder if he shared her view that one of the reasons respondents had expressed concern about the extent of growth being predicated and the extent of Green Belt release which appeared appropriate for inclusion as potential options, was due to the figure work. She pointed out that the 2011 Census figures which might not have been available when original work was carried out in relation to issues and options indicated a growth rate for this district which appeared to be less than half the growth rate nationally for the relevant period. She also stated that the Council's own figures for Housing showed overprovision in relation to the East of England target figures. She asked the Portfolio Holder if he will take these matters into account in proceeding with proposals.

Councillor Bassett, Planning Portfolio Holder confirmed that close attention would be paid to population numbers. He stated that this matter had been the subject of one of the questions included in the Issues and Options consultation using 2010 figures provided by the Office of National Statistics. He continued that from nine possible models which had been provided three had been taken forward for consultation. He confirmed that account would be taken of the 2011 Census figures as it would be necessary to have an accurate assessment of the number of houses required in order to meet the housing needs. Councillor Bassett stated that he would be looking at these matters in more detail and that further information would be shared with members when available. He advised that he would shortly be visiting Chelmsford to discuss the East of England figures with the person responsible and that he would inform members of the outcome of that visit. Councillor Bassett stated that it was fundamental to consider the extent of population growth in determining the number of houses required.

(d) Oakwood Hill Depot, Loughton/Depot for Waste Management Service

Councillor Girling drew attention to the written report of the Asset Management and Economic Development Portfolio Holder which stated that detailed design plans were being progressed in respect of the Oakwood Hill Depot and that alternative locations continued to be investigated for the relocation of the depot for the Waste Management Service. He stated that at a recent Loughton Town Council Planning and Licensing Committee meeting consideration had been given to Planning Application EPF/1020/12 which included a transport statement advising that the proposed development sought to provide a new depot facility to be used by Epping Forest District Council replacing an existing facility. In the light of this Councillor Girling sought clarification as to whether a decision had been made on where the depot would be sited and if not when that decision could be expected.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder said that she did not have details of the planning application referred to but that alternative locations continued to be investigated for the relocation of the depot for the Waste Management Service. She said there were possibly five potential sites with consideration of one of two ahead of the others. She continued that it had been agreed that when a meaningful stage had been reached local Ward Councillors would be consulted. She advised that at this time only one member had been consulted about a proposed site. Councillor Grigg stated that it would be some time before any decision was reached and she drew attention to the approach made by the Environment Portfolio Holder for members to draw attention to any sites which they considered appropriate.

(e) Northern Gateway Access Package (NGAP)

Councillor Smith referred to the written report of the Planning Portfolio Holder and expressed concern about the proposal to submit a report to the Cabinet bearing in mind the date of the next Cabinet meeting and the deadline for responses to the consultation exercise. She asked the Planning Portfolio Holder to clarify how this Council's response to the consultation would be formulated.

Councillor Bassett, Planning Portfolio Holder, expressed concern about the proposals of the London Borough of Enfield for an alternative route to the M25 via Junction 26 which would link the north-south road to the A121. He advised that an extraordinary meeting of the Planning Services Scrutiny Standing Panel had been arranged for the following day in order to consider the matter and agree this Council's response. He stated that he would endorse the views formulated by the Scrutiny Panel.

(f) Welfare Reform Mitigation Action Plan

Councillor Jenny Hart referred to the written report of the Housing Portfolio Holder and asked whether Council tenants who fell into arrears could be declared intentionally homeless.

Councillor Stallan, Housing Portfolio Holder expressed thanks to the officers for their work in preparing a Welfare Reform Mitigation Action Plan. He advised that very few other Councils had taken this action. He pointed out that the Housing Scrutiny Panel would be undertaking a review of the Council's Housing Allocation Scheme on 17 December 2012. He advised that steps were being taken to help the residents as much as possible and that he would need to speak to officers in order to respond to the question. He agreed to provide a written response in the Council Bulletin.

(g) Loughton High Road

Councillor Markham stated that the condition of the footways in Loughton High Road had deteriorated with loose paving stones and sinking tarmac. He suggested that the pavements required urgent attention and asked if pressure could be applied on the Highway Authority to undertake works as an approach via the local County Councillor had not met with any success.

Councillor Whitbread, Leader of the Council confirmed that this was a matter for Essex County Council. He stated that the matter would be raised with the Local Highways Panel but that in addition he would arrange for representations to be made to the County Council.

(h) Residents' Parking Scheme – St John's Road, Epping

Councillor Church asked the Safer, Greener and Highways Portfolio Holder if he was aware how pleased residents were with the decision to proceed with this scheme. He asked the Portfolio Holder if Chapel Road and Ashlyns Road were included in the scheme.

Councillor Waller, Safer, Greener and Highways Portfolio Holder advised that Chapel Road and Ashlyns Road were included within the scheme. He stated that residents of all three roads would be consulted about the proposals in due course.

(i) Local Plan – Brownfield Sites

Councillor Knapman asked the Planning Portfolio Holder if he shared his disappointment that it had not been possible to produce a comprehensive list of brownfield sites in the district. Councillor Knapman stated that he believed such sites could provide in excess of 2,000 homes.

Councillor Bassett, Planning Portfolio Holder stated that he would wish to see brownfield sites developed first and he encouraged residents to notify him of the sites which they believed came within this definition. He pointed out that whilst some sites might appear to come within this definition there were reasons why they did not.

(j) Local Plan/North Weald Airfield Review Consultation Exercise

Councillor Watson asked the Support Services Portfolio Holder if he agreed that it was important to minimise the risk of a Judicial Review in respect of the Local Plan and that this Council should avoid anything that could be misinterpreted. She continued that whilst she was confident that the Portfolio Holder for Asset Management and Economic Development would be impartial in dealing with the North Weald Airfield consultation, she was concerned that as the Portfolio Holder was also a Ward Member for North Weald Bassett it could be perceived as a conflict of interest. Accordingly she asked the Support Services Portfolio Holder how he intended to mitigate this risk.

Councillor Ulkun, Support Services Portfolio Holder advised that he would respond in writing in the Council Bulletin.

(k) Extensions to Dwellinghouses

Councillor J H Whitehouse referred to the proposals of the Government to increase the permitted development rights in relation to extensions to dwellinghouses. She stated that local residents had expressed their concern to her about these proposals and she asked the Portfolio Holder if he would respond to the expected consultation exercise expressing those concerns. She also asked if he would publish information about the consultation exercise so that residents could respond directly to the Government.

Councillor Bassett, Planning Portfolio Holder said that he shared the concern of residents about these proposals. He advised that the issue had been discussed at a recent meeting of Chairmen of Planning Committees. He suggested that consultation was a loose word in this matter as the Government had published details of what it proposed to do and then sought comments on those proposals. He said that he foresaw the proposals would result in legal problems and the setting a precedence. Councillor Bassett said that he believed there was a short time within which to make comments and that he would provide Councillor Whitehouse with details of the timescale. He stated that he was not sure if the consultation exercise was open to members of the public or only to local authorities but he would clarify this and advise her about the position when providing details of the timescale.

(l) Fire Safety in Flat Blocks – Carpets in Common Parts

Councillor Jenny Hart stated that the Housing Portfolio Holder in July 2012 had made a decision to remove any carpets in common parts previously laid by residents where they did not conform with the relevant British Standard. She asked when residents would be informed of this decision and suggested that if the removal of the carpets was proposed in the near future it should be deferred until after the winter months.

Councillor Stallan, Housing Portfolio Holder stated that he would need to check with officers on the current position and that he would respond to this question in writing in the Council Bulletin.

(m) North Essex Parking Partnership

Councillor Jacobs stated that he understood this Council's surplus in relation to parking had been transferred to the North Essex Parking Partnership contrary to what he had previously been advised. He asked the Safer, Greener and Highways Portfolio Holder if this was the case and if so whether the surplus would benefit all districts in the partnership.

Councillor Waller, Safer, Greener and Highways Portfolio Holder said that he was unaware what advice had been given to Councillor Jacobs previously. He advised however that the amount transferred to the partnership had been minimal. He undertook to publish full details in the Council Bulletin.

62. MOTIONS

(a) Stansted Airfield – Proposed Charges

Moved by Councillor Knapman and Seconded by Councillor Waller

"This Council deplores the decision to impose a minimum charge of £2 per car on those who drop off airline passengers within walking distance of the terminal at Stansted Airport, considering this an unfair impost on those who have no reasonable means of travelling to the Airport by public transport. It finds it totally unacceptable that a discount scheme should apply to residents of Uttlesford and East Hertfordshire Districts but not to residents of the Epping Forest District, many of whom live considerably closer to the airport than most residents of the other two neighbouring districts.

The Council calls on the Leader to make representations to the Stansted Airport authorities on this matter".

Motion as first moved ADOPTED

RESOLVED:

(1) That this Council deplores the decision to impose a minimum charge of £2 per car on those who drop off airline passengers within walking distance of the terminal at Stansted Airport, considering this an unfair impost on those who have no reasonable means of travelling to the Airport by public transport; it finds it totally unacceptable that a discount scheme should apply to residents of Uttlesford and East Hertfordshire Districts but not to residents of the Epping Forest District, many of whom live considerably closer to the airport than most residents of the other two neighbouring districts; and

(2) That the Council calls on the Leader to make representations to the Stansted Airport authorities on this matter.

63. QUESTIONS BY MEMBERS UNDER NOTICE**(a) Sainsbury's Site, Loughton Broadway****Question from Councillor Girling to Councillor Grigg, Asset Management and Economic Development Portfolio Holder**

"Upon attending the presentation by Sainsbury's on Wednesday 3rd October I was shocked to hear that if the Council cannot agree to remove the current restrictions on Sainsbury's deliveries to the Debden Store (deliveries amount to two lorries per day), they will have to consider closing the much needed local store. This store serves local elderly and disabled residents that are unable to travel to Loughton or Epping to complete their weekly shopping.

As a new councillor I was further surprised by the way experienced members responded to Sainsbury's comments and implied they were "fine" if the store was to close.

Could the Portfolio Holder provide reassurance to my constituents that the Cabinet and Officers are committed to finding suitable solutions to the Sainsbury's Debden Store delivery issue and will they reassure my constituents that regardless of Sainsbury's decision there will be a small supermarket on the same site should Sainsbury's vacate and terminate their lease agreement?"

Reply of Councillor Grigg, Asset Management and Economic Development Portfolio Holder

"Normally there are no restrictions on an operator closing a particular store.

To guard against that happening here, however, there was a section 106 requirement imposed to keep a store for as long as could be agreed. In this case, until 2013.

Meanwhile, the adoption of the development brief envisages and encourages redevelopment of the site, which would continue to provide a store that would help "anchor" trade to it and the wider Broadway Shopping Centre.

Neither Members nor officers can give a guarantee but J Sainsbury still regard their presence at the Broadway as important and the Council is aware that there is also occasional interest in the site expressed by other major supermarket operators."

Supplementary Question from Councillor Girling to Councillor Grigg

Councillor Girling asked if there were any plans to review the design proposals for the highway improvements in the light of the concerns expressed by Sainsbury's and B.P. Management.

Reply of Councillor Grigg

Councillor Grigg stated that as far as she was aware the B.P. Garage would remain and that bearing in mind the Judicial Review being sought by Sainsbury's it would be better to discuss the position outside of the Council Chamber.

(b) CCTV Awareness Campaign**Question from Councillor Girling to Councillor Waller, Safer, Greener and Highways Portfolio Holder**

"I recently visited the Council's Safer Communities team and viewed the newly installed Debden CCTV. I am most grateful to members and officers that such a service exists around The Broadway shopping area.

Can I request that the Portfolio Holder works in conjunction with Councillor Grigg and officers in the Safer Communities Team to host an event (perhaps at Epping Forest College) to demonstrate the new CCTV system to the Broadway Traders and sessions at schools in the Loughton Broadway Ward to raise its profile, provide reassurance and act as a deterrent towards future cases of Anti Social Behaviour in The Broadway shopping area?"

Reply of Councillor Waller, Safer, Greener and Highways Portfolio Holder

"I would like to thank Councillor Girling for his helpful suggestion. I am of course very keen to ensure that residents generally are aware of the benefits of the CCTV systems we have in place and that they understand they represent a sensible use of the Council's resources. There is a high level of signage in The Broadway, informing people that CCTV is in place, so no one should be unaware of it. I am happy to ask the Community Safety Team to arrange to present the systems' capabilities to The Broadway Town Centre Partnership, in order to provide reassurance that the systems provide widespread benefits including support to the police in the event of criminal activity. I would ask Councillor Girling to speak directly with the Team to make the necessary arrangements".

64. REPORT OF THE CABINET - SUPPLEMENTARY DDF ESTIMATE - LANGSTON ROAD RETAIL PARK - PLANNING FEES**Mover: Councillor Grigg, Asset Management and Economic Development Portfolio Holder**

Councillor Grigg presented a report on the reasons for incurring additional fees in obtaining outline planning permission.

Report as first moved ADOPTED**RESOLVED:**

That a supplementary District Development Fund estimate of £44,000 be approved for 2012/13 in order to pay the Council's 50% share of additional fees incurred in obtaining outline planning permission for a new retail park at Langston Road, Loughton.

65. REPORT OF THE CABINET - NON DOMESTIC RATES - NDR1 FORM**Mover: Councillor Stavrou, Finance and Technology Portfolio Holder**

Councillor Stavrou advised that the Local Government Finance Bill had been enacted since this matter had been considered by the Cabinet.

Report as first moved ADOPTED

RESOLVED:

That authority to approve the NNDR1 form be delegated to the Finance and Technology Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee.

66. REPORT OF THE CABINET - SUPPLEMENTARY DDF ESTIMATE - PLANNING APPEAL COMPENSATION BUDGET

Mover: Councillor Bassett, Planning Portfolio Holder

Councillor Bassett submitted a report seeking a supplementary estimate for payments from the Planning Appeals budget. In response to questions, the Portfolio Holder agreed to submit annual reports on expenditure from the proposed budget and to differentiate in those reports the sums spent on compensation and costs.

Report as first moved ADOPTED

RESOLVED:

(1) That a supplementary District Development Fund estimate of £90,000 be approved for payments made in respect of planning appeals in the Development Control budget; and

(2) That any underspend in 2012/13 be carried forward into successive years until it is spent.

67. REPORT OF THE CABINET - SUPPLEMENTARY CAPITAL ESTIMATE - GUARANTEED INVESTMENT - SLM

Mover: Councillor Webster, Leisure and Wellbeing Portfolio Holder

Councillor Webster presented a report proposing a reduction in the management fee of SLM on the basis of the Council providing capital to improve the facilities at Loughton Leisure Centre.

Report as first moved ADOPTED

RESOLVED:

That a supplementary capital estimate of £240,000 for the 2012/13 Capital Programme be approved to enable the upgrading of the changing rooms of the Loughton Leisure Centre to be completed by the end of the 2012 calendar year.

68. OVERVIEW AND SCRUTINY

(a) Report of the Chairman of the Overview and Scrutiny Committee

The Council received a written report from Councillor Morgan, the Chairman of the Overview and Scrutiny Committee.

(b) Reports of the Overview and Scrutiny Committee

The Chairman announced that there were no reports to be considered under this item.

(c) Reports of Overview and Scrutiny Committee Panels**(i) Report of the Constitution and Member Services Scrutiny Standing Panel – Staff Appeals Panel – Terms of Reference**

Mover: Councillor Sartin, Chairman of the Panel.

Councillor Sartin presented a report recommending changes to the terms of reference of the Staff Appeals Panel.

Report as first moved **ADOPTED**

RESOLVED:

- (1) That the Terms of Reference of the Staff Appeals Panel be amended so as to delete all appeals by staff except those involving dismissal, including those deriving from selection for redundancy;
- (2) That this alteration be published in the Constitution; and
- (3) That any amendments elsewhere in the Constitution to reflect these changes in the Panel's Terms of Reference be delegated to the Assistant to the Chief Executive.

69. REPORT OF THE STANDARDS COMMITTEE - CODE OF MEMBER CONDUCT AND PARTICIPATION BY MEMBERS

Mover: Councillor Smith, Chairman of the Committee

Councillor Smith submitted a report regarding members having a disclosable pecuniary interest in a matter and wishing to make representations before leaving a meeting where the public had the right to speak. Councillor Smith reported that if the recommendations of the Committee were adopted the Monitoring Officer would submit a report to the next meeting of the Standards Committee suggesting a process for dealing with requests for dispensation bearing in mind the likely timescales involved. She agreed to publish further details in the Council Bulletin and advised that the process would be explained at a future training session for members.

Report as first moved **ADOPTED**

RESOLVED:

That in relation to members have a disclosable pecuniary interest in a matter and wishing to make representations before leaving a meeting where the public have the right to speak:

- (a) no action be taken on adopting an appropriate standing order; and
- (b) members be required to seek a dispensation under Section 33 of the Localism Act 2011.

70. REPORT OF THE STANDARDS COMMITTEE - NEW STANDARDS ARRANGEMENTS - PARISH/TOWN COUNCIL DELEGATION ARRANGEMENTS

Mover: Councillor Smith, Chairman of the Committee

Councillor Smith submitted a report following notification from six Parish Councils that they wished to join the District Council's Standards Committee.

Report as first moved **ADOPTED**

RESOLVED:

That the Monitoring Officer's designation as Proper Officer under Chapter 7 of the Localism Act 2011 be extended to cover action in respect of any Parish/Town Council affiliated from time to time to the District Council's Standards Committee.

71. REPORT OF THE LICENSING COMMITTEE - GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Mover: Councillor Angold-Stephens, Chairman of the Committee

Councillor Angold-Stephens presented a report recommending a statement of principles for the period 31 January 2013 and 31 January 2016.

Report as first moved **ADOPTED**

RESOLVED:

That the Gambling Act 2005 – Statement of Principles attached to the report of the Committee for the three year period from 31 January 2013 -31 January 2016 be adopted.

72. POLICE AND CRIME PANEL

The Council noted that the Police and Crime Panel for Essex had requested each District/Borough/City Council to appoint a deputy for their representative on the Panel. The nomination of Councillor Waller having been formally moved by Councillor Whitbread and seconded by Councillor Bassett, it was

RESOLVED:

That Council Waller be appointed deputy to the Council's representative on the Police and Crime Panel for Essex for the remainder of the current Council year.

73. WEST ESSEX WELLBEING JOINT COMMITTEE

The Leader of the Council reported that whilst local partnership arrangements for Wellbeing could be developed within each District Council area, the partners in West Essex had proposed to create the West Essex Wellbeing Joint Committee to provide a governance structure for partnership working. He reported that the Joint Committee would consist of representatives from each of the partners and co-optees from the Clinical Commissioning Group with full voting rights. The Joint Committee would decide on co-optees/invitees from other partners but would

seek to keep the membership of the Committee to a maximum of 15. He reported that the Cabinet at its meeting on 22 October 2012 had decided that this Council should participate in the Joint Committee and had asked the Council to appoint two member representatives.

The nominations of Councillors Boyce and Chambers having been formally moved by Councillor Whitbread and seconded by Councillor Bassett, it was

RESOLVED:

That Councillors Boyce and Chambers be appointed to represent the Epping Forest District on the West Essex Wellbeing and Joint Committee for the remainder of the current Council year.

74. REPRESENTATION ON OUTSIDE ORGANISATIONS - GRANGE FARM MANAGING TRUSTEES

The Leader of the Council reported that the Grange Farm Trust had asked the Council to appoint a trustee in place of Councillor Johnson who had not found it possible to attend meetings. Members noted that the appointment would be for the balance of the four year period which had commenced on 1 June 2011.

The nomination of Councillor McEwen having been formally moved by Councillor Whitbread and seconded by Councillor Waller it was

RESOLVED:

That Councillor McEwen be appointed Managing Trustee in place of Councillor Johnson.

75. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Chairman informed members that there were no reports to be considered on the business of joint arrangements and external organisations.

Councillor Mohindra encouraged representatives on outside organisations to submit regular reports to the Council on the work of those organisations. Councillor Sartin advised that the Constitution and Member Services Scrutiny Panel would be reviewing these reporting arrangements during the current municipal year.

CHAIRMAN