

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 20 December 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.55 pm

Members Present: Councillors J Lea (Chairman), D Stallan (Vice-Chairman), N Avey, R Baldwin, R Bassett, A Beales, H Brady, W Breare-Hall, R Brookes, R Butler, G Chambers, K Chana, D Dorrell, L Girling, A Grigg, S Heap, L Hughes, R Jennings, J Jennings, S Jones, H Kane, S Kane, H Kauffman, P Keska, J Knapman, Y Knight, A Lion, L Mead, G Mohindra, R Morgan, S Murray, S Neville, A Patel, J Philip, C P Pond, C C Pond, C Roberts, D Roberts, B Rolfe, B Sandler, M Sartin, S Stavrou, B Surtees, G Waller, E Webster, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: Councillors N Bedford, A Boyce, R Gadsby, A Mitchell, G Shiell and L Wagland

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), A Hall (Director of Communities), R Palmer (Director of Resources), S Hill (Assistant Director (Governance & Performance Management)), R Perrin (Democratic Services Officer), T Carne (Public Relations and Marketing Officer), A Hendry (Senior Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

67. WEBCASTING INTRODUCTION

The Assistant Director of Governance and Performance Management 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.

68. MINUTES

RESOLVED:

That the minutes of the Extraordinary Council meeting held on 18 October 2016 and the Council meeting 1 November 2016 be taken as read and signed by the Chairman as a correct record subject to the transposing of the word 'for' and 'against' in the recorded vote amendment within the Extraordinary Council meeting on 18 October 2016, item 53 Draft Epping Forest District Local Plan for Consultation.

69. DECLARATIONS OF INTEREST

Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared an interest by virtue of being employed by the school mentioned within item 9 - Motions on the agenda and that he considered it was an indirect pecuniary interest and would therefore remain in the meeting and vote.

Pursuant to the Council's Code of Member Conduct, Councillor B Jennings declared a non pecuniary interest in item 16 – Appointment of External Auditor by virtue of being a member of the Local Government Association. The Councillor had

determined that his interest was prejudicial and would leave the meeting for the consideration of the item and voting thereon.

70. ANNOUNCEMENTS

(a) Announcements by the Chairman of Council

(i) Councillor T Boyce

The Chairman advised that Councillor T Boyce had now been moved to St Margaret's Hospital, Epping.

(ii) Chairman's Events

The Chairman advised that she had attended several Nativity plays within the District and that the Civic Carol Service held at Waltham Abbey Church had been well attended.

The Chairman also wished to send thoughts and well wishes to the families recently involved in the terrorist attacks in Europe.

(iii) Floral Display

The Chairman announced that she proposed to send the flowers from this evenings meeting to Forest Place Nursing Home, Buckhurst Hill.

(iv) Former District Councillor Joy Wainwright

It was with much sadness that the Chairman informed the Council of the death of former Councillor Joy Wainwright.

Joy Wainwright had represented the Theydon Bois Ward as a Conservative District Councillor, from the inception of Epping Forest District Council in 1974, until 1990. She had served on various member bodies during this time, including the Development Committee, the Environment Health and Control Committee, the Housing Committee, the Policy and Co-ordinating Committee and the Joint Staff Committee. Joy Wainwright had been also Vice-Chairman of the former Plans Sub-Committee 'A', from 1979 to 1989.

Members paid tribute to the memory of former District Councillor Joy Wainwright and stood for a minute's silence in her memory.

71. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions under notice for the meeting.

72. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no questions by Members under notice for the meeting.

73. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

(a) The Leader of Council

The Leader advised that he had attended a variety of meetings with various organisations around the District and specifically with Councillor J Philip with regards

to the Draft Local Plan Consultation. He advised that an extraordinary amount of effort had been put into the communication of which he thanked both the Planning Policy Portfolio Holder and Officers.

The Leader informed the Council that he had recently had the opportunity to explore new ideas for the District, which had included looking at modular units with the Housing Portfolio Holder and Housing Officers. He advised that the modular units were manufactured at North Weald Airfield and could also help with the Districts' homelessness provision and tackling the bed and breakfast problems.

In addition, he had hosted a visit from the new Chairman of South East Local Enterprise Partnership (SELEP) Christian Brodie, where he had been able to showcase the District and demonstrate the Council's future economic visions including Langston Road Development and North Weald Airfield. Furthermore, he had recently walked around the whole St John's site in Epping, which had been finally acquired with the help of Officers, Essex County Councillor A Jackson and the Chief Executive. Finally, the Leader advised that the Council had hosted the Locality Board with Local MP's, Essex County Councillors and the Police and Crime Commissioner, where he explained his visions and plans for the future of Policing in the District.

(b) Safer, Greener & Transport Portfolio Holder

Councillor G Waller advised that following the recent murder trial involving a Theydon Bois resident concluding at Chelmsford Crown Court, the victim's husband had been convicted of murder and arson and sentenced to life imprisonment with a minimum term of 24 years. He advised that the Domestic Homicide Review would resume, establishing any relevant lessons to be learnt and learn how comparable occurrences maybe avoided. It would restart on Friday 6 January 2017.

(c) Planning Policy Portfolio Holder

Councillor J Philip updated Members on the draft consultation for the Local Plan. He advised that 12,000 unique visitors had accessed the website, 15,000 social media accounts had been reached with 1,000 impressions given and 6 events held with 1200 attendees. There had been 3,400 responses to the draft plan received with 1670 responses online, 200 hard copies, 710 letters and 747 emails. Officers would now check for duplicates and begin data analysis of the responses with a report being brought to Cabinet in March 2017. He thanked everyone who had completed a consultation and all the Councillors that assisted residents.

(d) Assets and Economic Development Portfolio Holder

Councillor A Grigg made a correction to her report regarding the name of new Chairman of SELEP's name being Mr Brodie, not Mr Keiffer who had also been present but the previous Chairman of SELEP.

(e) Housing Portfolio Holder

Councillor S Stavrou advised that the Communities Select Committee on 17 January 2017, had been asked to consider a comprehensive report regarding the current homelessness situation in the District; increasing pressures on the Council's Housing Service and residents; and how some of the pressures could be reduced and mitigated. The suggestions within the report offered a variety of options and the Select Committees views were welcomed. Any Members concerned about the effects of homelessness on the District residents were invited to attend the Select Committee to find out more.

(f) Finance Portfolio Holder

Councillor G Mohindra advised that further details on the Local Government Financial settlement information for the New Homes Bonus had been received and instead of the Council receiving £300,000, it was significantly lower at £16,000. Some of the reduction had been taken into account within the Medium Term Financial Strategy (MTFS); consequently the short fall for the budget in 2017/18 was £184,000 and not the potential £284,000. He advised that the budget had been progressing well for 2017/18 and had been on target to achieve the required level of savings and consequently would not affect the 2017/18 budget, however it would require significant changes to the MTFS and adjustments to the savings targets for 2018/19 and beyond. The details of these adjustments would be presented to the Finance Performance Management Cabinet Committee on 19 January 2017 and he urged as many Members to attend as possible.

74. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) St John's Site

Councillor H Whitbread asked the Asset & Economic Development Portfolio Holder whether following the completion of the St John's site, she had any ideas on the planning application timescales and if this would provide an opportunity for consultation with Epping Residents on the proposed design.

Councillor A Grigg advised that she was delighted that the St John's site was now in the Council's ownership. The mixed use scheme would provide a cinema, food store, flats, shops and a public realm (open space), via a tri-part agreement and was subject to planning consent. There would be an opportunity for Epping Residents to shape this, which would be through the planning process.

(b) Local Plan

Councillor S Neville advised that some residents within his Buckhurst Hill East Ward had not received any correspondence regarding to the Draft Local Plan Consultation and asked whether the Planning Policy Portfolio Holder would apologize for this error.

Councillor J Philip advised that he would not apologise because he had indicated to Members several times, that if they had been made aware of any areas within their Wards that had not received information on the consultation to notify him and he had received no communication. He also stated that every Member had been supplied with a tool kit to help assist residents. Furthermore he had not been aware of any systematic errors with delivery and that leaflets delivered to all residents in the District had not been wholly relied upon, with a huge amount of publicity completed through other means.

Councillor J Philip advised that he was glad to hear that the residents involved had responded to the consultation.

(c) Langston Road Retail Park

Councillor J Knapman asked the Asset & Economic Development Portfolio Holder for an update on the leasing of the retail units at Langston Road Retail Park.

Councillor A Grigg advised that the negotiations were going well, although no further information was currently available because the interested companies preferred no

publicity until agreements had been signed. The consultants had advised that there was still strong interest and they were confident that the units would be filled.

(d) Food Bank

Councillor S Murray asked the Leader whether he shared his concerns regarding the increasing number of families and individuals requiring the services of the Epping Forest Foodbank and the great appreciation the Council has for the service.

Councillor C Whitbread advised that he agreed that the Foodbank provided an exceptional service, which had been needed in the community and that the Council was happy support any organisation that had the best interests of the District at heart.

(e) Pre application income

Councillor C C Pond asked the Governance and Development Management Portfolio Holder in what manner the Development Control Officers expressed the acceptability of a scheme in Pre-Application discussion and whether Officers should advise that the advice was always subject to the judgement of Members, should it go to a planning sub-committee.

Councillor R Bassett advised that Pre-Application advice was for applicants to come into the Council to show their plans to the Development Control Officers and for the obvious development control and policy issues to be pointed out, giving the applicant an opportunity to talk around other possible options for the application.

(f) Local Plan

Councillor L Girling asked the Planning Policy Portfolio Holder whether there were any other points in the Local Plan Consultation, where the public could get involved in the process and whether the transport modelling would involve other organisations other than just Essex County Council.

Councillor J Philip advised that there would be at least one other opportunity for residents to get involved. He explained that by the summer 2017 the Council would be submitting the Local Plan for Regulation 19, which would evaluate the soundness of the plan and the next step would be a report to Cabinet in March 2017. In addition the Council was looking at two types of transport modelling and would be working with Transport for London (TfL) with regard to the Central Line and making use of Essex County Council Highways roads model that had been approved by the Highway Agency. Once the transport modelling had been completed, it would be available for developers to make use of along with the consultation, indicating where the sites would be considered within the District.

(g) Complaints Procedure

Councillor H Kauffman asked the Governance and Development Management Portfolio Holder if Members could have a copy of the revised complaints procedure.

Councillor R Bassett advised that changes had been made to the complaints procedure through the removal of one of the tiers and a change in the responsible officer. He would make sure the updated version of the complaints procedure was made available to Members and updated on the website.

(h) Youth Crime Rate

Councillor B Surtees asked the Safer, Greener, Transport Portfolio Holder whether he welcomed the national reduction in child arrests that had dropped from 246,000 in 2010 to 102,000 in 2015 and Essex Police and other agencies efforts which had resulted in a much better than average reduction in Essex.

Councillor G Waller advised that it was very welcomed that the national figures for child arrests had dropped by 59% in that period, which in turn had prevented the likelihood of young people entering the Criminal Justice System and having a greater chance of a life of crime. He advised that there were a number of reasons involved in the drop which included better training and the abolition of targets for the Police.

(i) St John's Site

Councillor J M Whitehouse asked the Asset & Economic Development Portfolio Holder, whether the consultation on the St John's site would be better prior to the submission of the planning application; and in relation to the whole site when was she hoping to bring a report about the future of Lindsay House to Cabinet.

Councillor A Grigg advised that a report regarding Lindsay House would be coming to the next Cabinet meeting. In addition she advised that the St John's site, especially the public realm area would be an important feature and so she expected publicity to be distributed beforehand but it would not be through the District Council and that the planning process would be the right way for it to progress.

(j) Domestic Violence

Councillor D Wixley asked the Safer, Greener, Transport Portfolio Holder about the changes to the Multi Agency Risk Assessment Conferences and that the Council would not be involved in local high risk cases of domestic abuse, in light of the recent case in Theydon Bois.

Councillor G Waller advised that it appeared to be a backward step and the Council's Community Safety Team had been well placed in the community with the knowledge and help, should people seek help. He advised that this would be something the Council would look to reverse and would be pressing for action.

(k) Leisure

Councillor R Butler asked the Leisure and Community Services Portfolio Holder whether when the new Leisure contract was issued in March 2017, would the sport clubs using the councils leisure centres be able to remain with their current timetables and schedules and that the staff's jobs within the leisure centre were assured.

Councillor H Kane advised that there had been a lot of discussions held with the new contractor about the staff and local schemes and clubs within the leisure centres and these arrangements would continue.

75. MOTIONS

(a) Area Plans Sub-Committee South – Location of Meetings

Moved by Councillor G Chambers and seconded by Councillor A Lion

“That, with effect from the 2017/18 municipal year and notwithstanding Rule T1(2) of the Council Rules of the Constitution, meetings of Area Plans Sub-Committee South be held at the Civic Offices in Epping”

Amendment moved by Councillor C C Pond and Seconded by Councillor H Kauffman

“That given the lack of consultation with Members and the public, under the Council Constitution, Council Rules, M6 Motions – Rules of Debate the Council proceeds to the next business on the agenda.”

Lost

Following further debate Councillor G Chambers moved the motion on the agenda which was carried.

Councillor S Murray requested that his vote against the motion be recorded within the minutes under the Council Constitution Rule - V1 Voting - Right to Require Individual Vote to be Recorded.

Motion as first Moved **ADOPTED**

RESOLVED:

That, with effect from the 2017/18 municipal year and notwithstanding Rule T1(2) of the Council Rules of the Constitution, meetings of Area Plans Sub-Committee South would be held at the Civic Offices in Epping.

76. MEMBERS' ALLOWANCES SCHEME - ANNUAL REVIEW 2017/18

The Director of Governance, C O'Boyle presented a report on behalf of the Chairman of the Remuneration Panel following a review of the following aspects of the Members' Allowances Scheme:

- (a) Basic Allowance;
- (b) Special Responsibility Allowances; and
- (d) Travel, subsistence and certain other allowances.

Report as first moved **ADOPTED**

RESOLVED:

Basic Allowance

(1) That no change be made to the implementation of the full amount of Basic Allowance of £4,300.00 per member per annum, currently included in the Council's Members' Allowances Scheme;

Special Responsibility Allowance

(2) That, with effect from the commencement of the 2017/18 municipal year, the Special Responsibility Allowance applicable to the position of the Chairman of the Epping Forest Standards Committee, be applied at the rate of £110.00 per meeting; and

Revised Scheme and Guidance

(3) That, subject to the above recommendations and other administrative matters set out in the report, the Members' Allowances Scheme and Guidance for 2017/18, be adopted and implemented with effect from 26 May 2017.

77. LOCAL COUNCIL TAX SUPPORT SCHEME 2017/18

Mover: Councillor G Mohindra, Finance Portfolio Holder

Councillor G Mohindra submitted a report regarding the Local Council Tax Support Scheme for 2017/18.

Report as first moved ADOPTED

RESOLVED:

That the revised Local Council Tax Support Scheme 2017/18 be approved.

78. CAPITAL REVIEW 2016/17 - 2020/21

Mover Councillor G Mohindra, Finance Portfolio Holder

Councillor G Mohindra submitted a report seeking Capital supplementary funding for three areas including the St John's Road development, Grounds Maintenance Vehicles and Disabled Facility Grants.

Report as first moved **ADOPTED**

RESOLVED:

(1) That a Capital supplementary of £346,000 in 2016/17 for the St John's Road development be approved;

(2) That a Capital supplementary of £28,000 for Grounds Maintenance Vehicles be approved; and

(3) That a Capital supplementary of £130,000 for Disabled Facility Grants be approved.

79. WASTE MANAGEMENT SERVICE - REVISED FUNDING

Mover: Councillor W Breare-Hall, Environment Portfolio Holder

Councillor W Breare-Hall submitted a report regarding the revised funding for the Waste Management Services. He advised that the sum of £202,654 from the District Development Fund for the costs of a change in the composition of the dry recyclable materials collected for the period November 2015 to March 2016 had been revised to £59,600.

Report as first moved **ADOPTED**

RESOLVED:

(1) That the following District Development Fund supplementary for 2016/17 regarding the cost pressures on the Council's Waste Management service be approved;

(a) a sum of £90,640 from the District Development Fund for the costs of additional dry recycling sacks for the period July 2015 to March 2016;

(b) a sum of £59,600 from the District Development Fund for the costs of a change in the composition of the dry recyclable materials collected for the period November 2015 to March 2016; and

(c) a sum of £64,000 from the District Development Fund for the costs of the increased number of properties within the District for the period November 2014 to March 2016.

80. CALENDAR OF COUNCIL MEETINGS 2017/18

Mover: Councillor R Bassett, Governance and Development Management Portfolio Holder.

Councillor R Bassett submitted a report regarding the Calendar of Council meetings for 2017/18.

Report as first moved **ADOPTED**

RESOLVED:

That, as attached at Appendix 1, the draft Calendar of Council Meetings for 2017/18 be adopted.

81. OVERVIEW AND SCRUTINY PROGRESS REPORT

The Council received a written report from Councillor M Sartin, the Chairman of the Overview and Scrutiny Committee which was noted.

82. APPOINTMENT OF EXTERNAL AUDITOR

Mover: Councillor J Knapman, the Chairman of the Audit and Governance Committee

Councillor J Knapman submitted a report regarding the option of opting into the Appointing Person arrangements that had been made available by the Public Sector Audit Appointments (PSAA) for the appointment of an External Auditor.

Report as first moved **ADOPTED**

RESOLVED:

That the Appointing Person arrangements made by the Public Sector Audit Appointments for the appointment of an External Auditor be approved.

83. HACKNEY CARRIAGE & PRIVATE HIRE LICENSING CONDITIONS & GUIDANCE**Mover: Councillor B Surtees, the Chairman of the Licensing Committee**

Councillor B Surtees submitted a report regarding revised Hackney Carriage and Public Hire Licensing Conditions and Guidance. He advised that a minor change was required to the title page of the Private Carriage Driver's Licence Guidance from 'Hackney' to 'Private Hire' within the title.

Report as first moved **ADOPTED**

RESOLVED:

That the Hackney Carriage and Public Hire Licensing Conditions and Guidance be adopted.

84. GAMBLING ACT 2005 - PERIODIC REVISION OF STATEMENT OF PRINCIPLES**Mover: Councillor B Surtees, the Chairman of the Licensing Committee**

Councillor B Surtees submitted a report regarding revisions of the Statement of Principles Gambling Act 2005, Statement of Principles.

Report as first moved **ADOPTED**

RESOLVED:

That the statement of principles made under the Gambling Act 2005 be adopted.

85. OVERVIEW AND SCRUTINY RULE 53 (CALL-IN AND URGENCY) - TRANSFORMATION PROGRAMME - ACCOMMODATION REVIEW AND THE DRAFT CHIGWELL NEIGHBOURHOOD PLAN - EPPING FOREST DISTRICT COUNCIL RESPONSE

The Council noted that the Chairman of the Council had agreed that the following decisions be treated as a matter of urgency and not subject to call in:

1. Transformation Programme – Accommodation Review

That the quotation of £18,500 received from PricewaterhouseCoopers (PwC) for the extension of the scope of the current accommodation review, be accepted.

2. Draft Chigwell Neighbourhood Plan - Epping Forest District Council Response

That the Council's response to the Chigwell Neighbourhood 2015-2030 Pre-Submission Plan, be confirmed.

86. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Royal Gunpowder Mills

The Council received a written report regarding the Royal Gunpowder Mills from Councillor H Kane, the Council's representative.

(b) There were no further updates from Council representatives on any other business on joint arrangements and external organisations and no requests were made for the next meeting.

87. EXCLUSION OF PUBLIC AND PRESS

The Council noted that the Management of the Council's Leisure Facilities – Award of Contract no longer necessitated the exclusion of public and press. The Council therefore agreed to continue in public session.

88. MANAGEMENT OF THE COUNCIL'S LEISURE FACILITIES - AWARD OF CONTRACT

Mover: Councillor H Kane, Leisure and Community Services Portfolio Holder

Councillor H Kane submitted a report regarding the award of the contract for the Management of the Council's Leisure Facilities.

Report as first moved **ADOPTED**













RESOLVED:

That, on the basis of the Final Evaluation of the Tender Submissions and Financial Implications for the Council, the award of the contract for the management of the Council's Leisure Facilities to Places for People Leisure Management Limited be approved as the preferred bidder, with SLM Everyone Active as reserve.

CHAIRMAN

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Epping Forest District Council Calendar of Meetings 2017/18

		2017					2018									
Meeting		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May		
Executive																
Council		25th		25th		26th		2nd	21st		22nd		24th	24th		
Cabinet			15th	11th		7th	12th	9th	7th		1st	8th	10th			
FPM Cab Comm			22nd	20th		14th		16th		18th		22nd				
AM & ED Cab Comm				6th			19th			11th			19th			
Scrutiny																
OS Committee			6th	18th			31st			9th	27th		17th			
Communities Sel. Comm			20th			5th		7th		16th		13th				
Governance Sel. Comm				4th			3rd		5th		6th	27th				
Neighbourhoods Sel. Comm			27th			19th		21st		30th		20th				
Resources Sel. Comm				13th			17th		19th		13th		3rd			
Constitution Working Grp						28th					20th					
Planning																
District Development			7th		2nd		4th	29th		31st		28th				
Plans East		10th	14th	12th	9th	6th	11th	8th	6th	10th	7th	7th	4th	9th		
Plans West		17th	21st	19th	16th	13th	18th	15th	13th	17th	14th	14th	11th	16th		
Plans South		31st	28th	26th	23rd	27th	25th	22nd	20th	24th	21st	21st	18th	30th		
Licensing																
Licensing Committee							18th						18th			
Licensing Sub-Comm			6th	4th	1st	5th	3rd	7th	5th	9th	6th	6th	3rd			
Miscellaneous																
Member Briefings			12th	5th	8th	4th	5th	1st	12th	4th	12th	15th	12th			
Audit & Governance			26th			18th		27th			5th	26th				
Joint Consultative Comm				24th			16th			15th			9th			
Local Councils Liaison						11th						12th				
Appointments Panel		11th-18th												14th-21st		
Dev Control Chairs/Officers						25th						19th				
OS Chairs/Officers						12th						6th				
Webcast meeting:		<u>Easter 2018</u>			Fri 30-Mar-18 to Mon 2-Apr-18											
13		<u>Rosh Hashanah</u>			Thu 21-Sep-17 to Fri 22-Sep-17 (Sundown Wed 20-Sep-17)											
		<u>Yom Kippur</u>			Sat 30-Sep-17 (Sundown Fri 29-Sep-17)											
		<u>Pesach</u>			Sat 31-Mar-18 (Sundown Fri 30-Mar-18)											
		<u>District Council Elections</u>				Thu 3-May-18										

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