

## **EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES**

**Committee:** Council **Date:** 19 February 2008

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.20 pm

**Members Present:** Councillors Mrs C Pond (Chairman), J Knapman (Vice-Chairman), K Angold-Stephens, D Bateman, K Chana, R Church, Mrs S Clapp, M Cohen, M Colling, Mrs D Collins, Mrs A Cooper, R D'Souza, R Frankel, T Frankland, Mrs R Gadsby, P Gode, A Green, Mrs A Grigg, Mrs A Haigh, Mrs H Harding, J Hart, Ms J Hedges, P House, D Jacobs, D Kelly, R Law, Mrs J Lea, Mrs M McEwen, R Morgan, S Murray, G Pritchard, Mrs P Richardson, T Richardson, B Rolfe, Mrs P K Rush, Mrs M Sartin, P Spencer, Mrs P Smith, D Stallan, Ms S Stavrou, P Turpin, H Ulkun, Mrs L Wagland, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse and J Wyatt

**Apologies:** Councillors R Bassett, Mrs P Brooks, J Demetriou, J Markham, P McMillan, G Mohindra and B Sandler

**Officers Present:** P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), G Lunnun (Democratic Services Manager), S G Hill (Senior Democratic Services Officer), T Carne (Public Relations and Marketing Officer) and P Tredgett (Information Assistant)

### **95. WEBCASTING INTRODUCTION**

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### **96. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 18 December 2007 be taken as read and signed by the Chairman as a correct record.

### **97. DECLARATIONS OF INTEREST**

No declarations of interest were made pursuant to the Council's Code of Member Conduct.

### **98. ANNOUNCEMENTS**

#### **(a) Chairman's Announcements**

**(i) Flowers**

The Chairman announced that the floral display from tonight's meeting would be sent to Parsonage Court, one of the Council's Sheltered Housing Schemes.

**(ii) Quiz Evening**

The Chairman thanked members and staff for attending the quiz held in aid of her charity at Theydon Bois Village Hall on 8 February 2008. She reported that the event had raised approximately £500 for her charity and that it had been an exciting evening with the winners being decided only after a tie-break.

**(b) Leisure and Young People Portfolio Holder**

Councillor M Cohen, Leisure and Young People Portfolio Holder, referred to his written report to the meeting in which he had advised that the Youth Council had been established. He reminded members that the youth councillors were not intended to be party political in any way. The young people were representatives of their schools and colleges and not representatives of any political party. He said that he would deplore any attempt to politicise any of the young people and asked all members to be careful not to introduce party politics in their dealings with the youth councillors.

**99. PUBLIC QUESTIONS (IF ANY)**

No public questions had been received for consideration at the meeting.

**100. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET****(a) Leader's Report**

By leave of the Council, the Leader of the Council made an oral report on matters falling within her area of responsibility.

**Meeting with Residents in Nazeing**

Councillor Mrs Collins reported on a public meeting at which 123 residents had been present. She advised that the meeting had discussed their concerns about heavy goods vehicles travelling through the village and also the number of gypsies and travellers in the locality. She advised that since that meeting some steps had been taken in an attempt to address the issues which had been raised. Essex County Council Trading Standards with co-operation from the Police had been stopping heavy goods vehicles in the locality to check that they were not overloaded. Members of the Nazeing Parish Council had been provided with hand held cameras to check on the speed of vehicles with a view to advising the County Council on the best locations for the siting of speed cameras. Councillor Mrs Collins also advised that in relation to the forthcoming Bumbles Green planning inquiry, the local members, the Chairman of the Parish Council and one resident had met the Council's planning barrister and consultant so that they could input to the Council's case. This had been the first occasion in which members had been so involved and the views of counsel, the consultant and officers on this initiative were awaited. If it was considered that this pilot scheme had been a success it was proposed that a

protocol be developed with a view to members' concerns being made known so that they could be developed by those presenting the Council's case at a public inquiry.

### **North East London Essex Partnership**

Councillor Mrs Collins reported that she had attended a meeting at County Hall with representatives of the London Boroughs of Havering, Barking and Dagenham and Waltham Forest and the Districts of Harlow and Uttlesford. The meeting had discussed the new national Concessionary Fares Scheme which was proving to be a problem for most authorities although in view of the limited number of bus routes in this District it was not such an issue for this Council.

### **Telecommunications Mast - Honey Lane, Waltham Abbey**

Councillor Mrs Collins reported on a discussion with local members and planning officers regarding the concerns about the telecommunications mast. Following this discussion the matter had been considered by the Cabinet and members were advised of the decisions taken by the Cabinet at its meeting on 4 February 2008.

### **Meeting with Local Members of Parliament and Local County Councillors**

The Council was advised that there had been another meeting of district councillors, local Members of Parliament and local County Councillors. All three local Members of Parliament had attended and the majority of local County Councillors had also been present. Councillor Mrs Collins advised that these meetings were now proving to be very useful forums for the discussion of matters of local interest. At the last meeting one of the topics had been the Olympic legacy and the local Members of Parliament had expressed concern that after the games had taken place authorities with Olympic sites in their areas or just outside their areas might have to pay for those sites for many years. These concerns would be addressed at future meetings when decisions had been made on the sites for the mountain biking and the white water canoeing. The meeting had also discussed education in the District and a further meeting was to be held shortly with Head Teachers. Finally, the meeting had discussed the District Council's draft budget proposals and the Members of Parliament and the County Councillors had been very complimentary about the proposals.

### **Staff Award Winners**

Councillor Mrs Collins reported on a lunch which had been held with winners of the Staff Awards. She advised that certificates had been presented to everyone and trophies had been handed to the runners up. The winners' awards would be presented at the Civic Awards event in March.

### **Youth Council - Meeting with Members**

The Council received a report on a meeting with Youth Councillors. Councillor Mrs Collins advised that she was very proud of all of the young people representing schools on the Youth Council and said that she had been very impressed with their enthusiasm.

### **Opening of Wickfields, Chigwell**

Councillor Mrs Collins reported on her attendance together with the Chairman of the Council at the opening of the Council's Sheltered Housing Scheme at Wickfields following a major improvement.

**Meeting with Group Leaders of other Essex District/Borough Authorities**

The meeting had discussed Local Area Agreements. Essex was a pilot authority for LAA2 which was currently being prepared. Group Leaders had expressed concern about the lack of financial benefits being received by district/borough councils in relation to the work involved in LAAs.

**Meeting with Leaders and Chief Executives at Brentwood Borough Council**

Councillor Mrs Collins reported on another meeting with Leaders and Chief Executives of other authorities in the County. There had been agreement on the approach being taken in relation to concessionary fares and authorities had signed a document making representations to the appropriate Minister. However, consensus had not been reached in relation to the provision of further sites for gypsies and travellers despite strong representations being made for a more even distribution of pitches across the County.

**Loughton Broadway - Stakeholders Meeting**

Councillor Mrs Collins reported that this meeting had discussed improved access to the underground station, re-siting of the petrol filling station, changes to the entrance to the Sainsbury's supermarket and the provision of affordable housing.

**(b) Reports of the Chairman of the Overview and Scrutiny Committee and Other Portfolio Holders**

The Council received reports (circulated) from the Chairman of the Overview and Scrutiny Committee, the Civil Engineering and Maintenance Portfolio Holder, the Community Wellbeing Portfolio Holder, the Environmental Protection Portfolio Holder, the Housing Portfolio Holder, the Leisure and Young People Portfolio Holder and the Planning and Economic Development Portfolio Holder.

**101. QUESTIONS BY MEMBERS WITHOUT NOTICE****(a) Council Properties - Thermostats****By Councillor S Murray to Councillor D Stallan, Housing Portfolio Holder**

In the light of the recent well publicised coroner's inquest regarding faulty thermostats in Council properties, what action are Housing Services proposing to take in relation to properties in this District.

**Response by Councillor D Stallan, Housing Portfolio Holder**

We have not yet received any formal Government or Health and Safety Executive advice regarding this incident. However, I would like to thank members and officers for the pro-active work which has been undertaken. We have met with the two gas servicing contractors to assess the risk and extent of the problem in this District. There are properties with thermostats of the type which may fail and approximately 5,000 properties have been identified on the gas service contract. Approximately 1,000 of those properties do not have hot water cylinders in the property and they are not therefore an issue. There remains approximately 4,000 properties which may have the immersion heaters which have caused problems. We need to survey the properties to confirm the numbers and we are proposing to link this to the gas

servicing programme. Approximately 1,000 properties will be serviced and surveyed in the coming year and replacement thermostats have been acquired for these properties. Depending on what is found when these properties are surveyed we will purchase more thermostats and aim to complete surveys and work in all properties by October 2008. We expect to undertake this exercise within existing budgets.

**(b) Site Provision for Gypsies and Travellers**

**By Councillor Mrs A Cooper to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

Currently in Nazeing there is a planning application awaiting a decision by the Secretary of State for a temporary site for 12 pitches. There is an application for another four pitches being considered by Area Plans Sub-Committee West tomorrow evening which is recommended for approval by officers. In addition there is an appeal to be heard in April for a further 22 pitches. If all of these additional pitches are allowed will they be offset against the requirement for this District to provide an additional 49 pitches. Within this District there are 117 pitches, 97 of which are in Nazeing. Can the Portfolio Holder give an assurance that in considering future site provision the existing sites will be taken into account. I understand that the Council's Forward Planning officers are currently working on identifying new sites. Can the Portfolio Holder advise if this work will be completed by April 2008, if not it would appear that we may have sites imposed upon us.

**Response by Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

It is my understanding that if the outstanding planning applications are approved, those pitches will be set against the numbers which we are required to provide. I think that April 2008 is ambitious in relation to identifying new sites. A report is to be submitted to the next Cabinet meeting recommending the setting up of a Portfolio Holder Advisory Group to deal with the Local Development Framework Core Strategy. This will include the identification of sites for gypsies and travellers. The Government has recommended a sequential approach to the provision of such sites looking first at urban sites. However, in view of the expense of urban sites it is likely that we will have to identify sites in the Green Belt and we are likely to be looking in the main to sites coming forward in the East of England Plan.

**(c) Traffic Regulation Orders**

**By Councillor Mrs J H Whitehouse to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

At a recent Environment and Planning Services Scrutiny Panel meeting, members were shocked to learn that £25,000 had been spent on advertising Traffic Regulation Orders in the local newspaper. This is currently a statutory requirement but we agreed that officers should make representations to Government with a view to seeking a relaxation of this requirement. Has any response been received from the Government and would you arrange for any reply to be published in the Members' Bulletin.

**Response by Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

No response has yet been received. When a response is received I will ensure that it is published in the Members' Bulletin.

**(d) 2012 Olympic Games - Mountain Biking Event****By Councillor S Murray to Councillor Mrs D Collins, Leader of the Council**

Members are aware from the press of the decision that Weald Park in Brentwood is no longer considered suitable for the mountain bike event at the 2012 Olympics. Is there any possibility of part of Epping Forest (the Forest itself) being considered as an alternative location.

**Response by Councillor Mrs D Collins, Leader of the Council**

Brentwood Borough Council are very upset at this late decision because they have undertaken a lot of work in progressing this matter. However, the Mountain Bike Association now consider that from 2012 the mountain bike site must have a 300 metre drop in order to make it sufficiently challenging. No part of the forest has such a drop and it is most unlikely that the event will be held in this District. We are awaiting further developments.

**(e) Bottled Water****By Councillor Mrs S Clapp to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

How much does the Council spend on bottled water per year and would tap water in dispensers be less expensive and lessen our carbon footprint.

**Response by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

I do not have that information readily available. I will find out and let you have a written answer.

**(f) Composter/Water Butt Campaign****By Councillor T Frankland to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

Approximately six years ago the Council organised a composter campaign whereby members of the public could obtain a voucher from the Council which could be exchanged at designated garden centres for a composter. Is it time to re-run that campaign and could the campaign be extended to the provision of water butts as water is becoming expensive.

**Response by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

I was not on the Council six years ago but I believe this may have been a County Council Scheme and not a District Council scheme. I will establish if the County Council are still running such a scheme. In relation to water butts I agree that we should encourage means of conserving water. A scheme of providing water butts would need to be costed and I am not sure if it will be more appropriate for the Council or water companies to run such a scheme. I will find out more information on both issues and I will make this known in due course.

**(g) Epping Parking Review****By Councillor J M Whitehouse to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

I note the Portfolio Holder's circulated report but I understand there have been further discussions since that report was written. Can the Portfolio Holder advise us of the latest position.

**Response by Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

There was a meeting yesterday with County Council Highways officers. It is proposed to divide Epping into areas for the purposes of the review and publicity will be given to the order in which those parts are considered. The County Council Highways Officers will take into account all of the comments which have been made and initially proposals for revisions will be considered by ward members and myself. The views of ward members will be taken into account and then the proposed changes will be published. In relation to a timescale the County Council officers have said that they will be commencing work on the review immediately.

**(h) Bus Stopping Arrangements in The Broadway, Loughton****By Councillor Mrs C Pond to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

What progress has been made in re-locating bus stopping places from Vere Road to Burton Road.

**Response by Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

The decision made by the Housing Portfolio Holder to approve the short-term usage of the garage forecourts in Burton Road as locations for bus waiting has taken effect. The bus companies have been made aware of this decision but I understand they are not necessarily using the garage forecourts.

**102. MOTIONS****(a) Council and Cabinet Meetings - Public Questions**

By leave of the Council, Councillor Mrs D Collins, mover of this motion amended the wording of the motion set out on the agenda

**Revised Motion by Councillor Mrs D Collins and seconded by Councillor C Whitbread**

"That this Council -

(a) notes the Council's success in fostering public interest by allowing the public to speak on development control matters at planning meetings;

(b) agrees that the introduction of public questions would assist in achieving more public interest in Cabinet proceedings;

- (c) resolves to ask the Cabinet to allocate up to 15 minutes at the beginning of each of their meetings to answer questions to Portfolio Holders by the public on Cabinet matters with prior notice by 4.00 p.m. on the day of the meeting;
- (d) resolves to limit the number of individual persons or representatives of other bodies asking questions to one per subject, to exclude any person listed as a persistent and unreasonable complainant and have a maximum of 15 minutes for questions at both Cabinet and Council meetings;
- (e) further resolves to amend the Constitution and give appropriate publicity to these changes".

**Carried**

Motion as amended **ADOPTED.**

**RESOLVED:**

That this Council -

- (a) notes the Council's success in fostering public interest by allowing the public to speak on development control matters at planning meetings;
- (b) agrees that the introduction of public questions would assist in achieving more public interest in Cabinet proceedings;
- (c) resolves to ask the Cabinet to allocate up to 15 minutes at the beginning of each of their meetings to answer questions to Portfolio Holders by the public on Cabinet matters with prior notice by 4.00 p.m. on the day of the meeting;
- (d) resolves to limit the number of individual persons or representatives of other bodies asking questions to one per subject, to exclude any person listed as a persistent and unreasonable complainant and have a maximum of 15 minutes for questions at both Cabinet and Council meetings;
- (e) further resolves to amend the Constitution and give appropriate publicity to these changes".

**103. QUESTIONS BY MEMBERS UNDER NOTICE**

- (a) **To any member of the Cabinet**
  - (i) **Collection of recyclables**

**By Councillor D Jacobs to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

"Last year I expressed concern regarding "split bodied" freighters being used for collection of dry recyclables and garden waste, in view of the experience of another Essex collection authority; at the time the Portfolio Holder deemed it not relevant, presumably as the previous contract was still in being; currently the "split bodied" collection seems not to be in operation and I assume that the volumes of garden waste which vary from season to season and year to year depending on climatic



conditions have rendered the split body method inoperable at present; given the potential loss of profit margin to the contractor, can the Portfolio Holder re-assure Council that the overall operation of waste collection and street cleansing will not suffer in performance and that members will be provided with regular updates on the situation?".

**Response read by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

"It is the case that at the commencement of the contract, the service provider experienced some difficulties with the volumes of garden waste put out for collection. This was due to the weather, resulting in a continuation of growth, and the Contractor having to use temporary vehicles which were split 30/70 instead of 50/50, whilst awaiting deliveries of new 50/50 split vehicles. A number of new 50/50 split body vehicles are now in use albeit currently collecting a single waste stream.

Ultimately it is for the service provider to determine the most appropriate methods of collection and the equipment required to meet the service specification. The Waste Partnership Board (the "Board") will have to consider any fundamental changes and satisfy itself that the methodology proposed is fit for purpose. The Board will also be carefully monitoring all aspects of the entire contract to ensure that all service specifications are met. Furthermore, payments to the contractor are based upon service performance and adherence to key performance indicators.

I anticipate that the Standing Scrutiny Panel on Environmental Services and Planning will wish to monitor the performance of the new contract and the Board is accountable, through the Portfolio Holder to Cabinet. In this way I am confident that members will be kept up-to-date with contract performance".

**(ii) Recycling of Waste**

**By Councillor R Frankel to Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

"Would it be possible to organise a visit for members to see the facility and processing for the recycled waste?".

**Response read by Councillor Mrs M Sartin, Environmental Protection Portfolio Holder**

"I have thought for some time that a visit of this type would be helpful. However, I have had to wait until the new contract is in place and "settled" before it was practical to ask SITA to make the necessary arrangements. I can inform the member that officers have already done this on my behalf and as soon as details become available they will be placed in the Members' Bulletin".

**(iii) Loughton Town Centre Enhancement Scheme**

**By Councillor K Angold-Stephens to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

"Can the Portfolio Holder state how much this Council has paid for the consultancy, including the surveys and reports, but excluding the considerable officer, councillor, resident and trader time on the Loughton Town Centre Enhancement Scheme from 1997/8 to date; and is she aware that Loughton, with 25% of the population of the

District, is the largest and only Town in the District without an Enhancement Scheme completed during the past 30 years?".

**Response read by Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

"The current capital analysis, which includes all consultant, contractor and officer costs, puts expenditure at the present time at £1.522 million broken down as follows:

Preliminary Costs	£ 83,000
Consultants	£ 203,000
Construction	£1,149,000
Internal Fees	£ 87,000

**Total** **£1,522,000**

I assume that the member's reference to Loughton being the only town not to have a completed enhancement scheme in the last 30 years refers to the fact that Phases III and IV of the Enhancement Scheme have not yet been approved for implementation. Council, at its meeting on 18 December 2007 considered the Council's Capital Strategy for the period 2007 to 2012, and resolved that the Council would not undertake any further Town Centre Enhancement projects before 2012. The report included the following text:

"The Council has in the past, and continues to invest significant sums of capital into the delivery of large-scale infrastructure projects i.e. Town Centre Enhancements. Whilst in the case of The Broadway, Loughton this can be justified at least in part because the Council owns the land and buildings as in question, the same cannot be said of other Town Centre locations. Much of the capital involved is spent on upgrading the local highway infrastructure which is an Essex County Council asset and who are responsible for its upkeep. To date, the County Council has not contributed in any significant part to the costs of an Enhancement Scheme. We have considered whether the District Council should continue to use its capital resources in this way and we are recommending that no further Town Centre Enhancements be undertaken before 2012".

**(iv) Loughton Parking Review**

**By Councillor K Angold-Stephens to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

"Can the Portfolio Holder advise of the cost of the long awaited Loughton Parking Review so far, including the costs in officer time; is he aware that part of this review has been subsumed by The Broadway Parking Scheme and that therefore the costs of that part of the review that remains is substantially reduced; and what plans does he have for completing this survey, promised to the desperate residents of the most vulnerable roads near to Loughton High Road over several years?".

**Response read by Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

"The cost attributable to the Loughton Parking Review at the present time stands at £67,250. Council, at its meeting on 18 December 2007 considered the Council's Capital Strategy for the period 2007 to 2012, and resolved that the Council would not undertake any further wide scale parking reviews. The report included the following, and I quote:

"The Council had stated its intention to review parking in other areas, and we are of the opinion that these reviews might be better delivered through a more targeted approach, dealing with specific local issues. Accordingly we are recommending that no further large-scale parking reviews be undertaken before 2012".

Therefore, in accordance with that agreed strategy, there will not be a full-scale review of the Loughton area. However, I am aware of particular locations throughout the District where there are significant parking pressures, for example in local roads and streets used by commuters and local employees, and these will be looked at in due course. In view of the limited resources available to this Council and the County Council Highways Service, this will not take place until the existing Epping and Buckhurst Hill Schemes and their six-month post implementation reviews have been undertaken and the final schemes completed".

**(v) Buckhurst Hill Parking Review**

**By Councillor P Spencer to Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

"I understand that the six-month review of the new, partially completed, parking restrictions in Buckhurst Hill is due to commence in May following the review in Epping, will the Portfolio Holder advise:

- (a) when will the proposed mini-roundabout and pelican crossing start to operate in Palmerston Road;
- (b) if the scope of the review is to be similar to that undertaken in Epping, taking into account the impact on neighbouring roads and the shopping areas;
- (c) if District Council officers will meet with Essex County Council's Highways officers to consider all the responses from the public and councillors; and
- (d) if following the review, consultants will then be engaged to progress revisions to the restrictions?".

**Response read by Councillor A Green, Civil Engineering and Maintenance Portfolio Holder**

"I would respond to the member as follows:

- (a) regrettably the County are still awaiting the works which are required to be undertaken by EDF, the national energy supplier. EDF are due on site this week to provide power to lighting columns and the new pedestrian crossing. The mini-roundabout cannot be constructed until such time as there is lighting and illuminated signing in place;
- (b) we are about to commence the post implementation review for the Epping area, and I will use the experience gained from this process in taking the Buckhurst Hill implementation review forward, starting in May;
- (c) as with the Epping review, all the comments and suggestions received by members and the local community will be collated and considered by officers; as with Epping, local members will be able to have a direct input into this process to ensure that all local issues are known;

(d) this is uncertain; until the outcomes are known I cannot be sure of the extent of any new or amendments to the present parking restrictions, and therefore the degree to which the County officers will be able to manage or whether they will need to bring in assistance via consultants; in any event this Council will have to meet the associated costs".

#### 104. REPORTS OF THE CABINET

##### **(a) Byelaws for Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Environmental Protection Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor Mrs M Sartin - Environmental Protection Portfolio Holder)**

The Portfolio Holder submitted a report proposing an amendment of the Council's Byelaws to take account of provisions contained in the Local Government Act 2003 to include the activities of cosmetic piercing and semi-permanent skin colouring.

Report as first moved **ADOPTED**.

##### **RESOLVED:**

- (1) That the Acupuncture, Tattooing, Semi-Permanent Colouring, Cosmetic Piercing and Electrolysis Byelaws attached as an Appendix to the report submitted to the Council be adopted; and
- (2) That the Council's Common Seal be affixed to the Byelaws and that following advertisement, the Byelaws be submitted to the Secretary of State for Health for approval.

##### **(b) Budgets and Council Tax Declaration 2008/09**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor C Whitbread - Finance, Performance Management and Corporate Support Services Portfolio Holder)**

The Portfolio Holder reported on the process for preparing the budget which had involved all members through Overview and Scrutiny, the Finance and Performance Management Cabinet Committee and the Cabinet. He drew attention to the savings which had been made as a result of the officer restructure and the investment which was being made in the Safer, Cleaner and Greener initiative.

He reported that the Authority's overall score in the Audit Commission Use of Resources Assessment for 2007 had risen from 2 to 3. He further advised that the Council would be in a position to proceed with District Council Tax increases of only 2.5% per annum over the next four years.

Councillor Whitbread drew attention to the Council's substantial Capital Resources and advised that these would enable further improvements to be made as and when

necessary but that a prudent and sensible approach would continue to be taken regarding the use of reserves.

The Portfolio Holder thanked the Director of Finance and his officers for their work in preparing the budget.

**Amendment moved by Councillor J M Whitehouse and seconded by Councillor D Jacobs**

"(1) That recommendations (1) and (3) be amended as follows:

'(1) That the list of CSB growth for the 2008/09 budget (set out in Annex 1) be approved with the following exception:

(a) the Finance Miscellaneous Finance Contingency be reduced from £175,000 to £75,000;

(3) That the Revenue Estimates for 2008/09 and the draft Capital Programme for 2008/09 be approved as set out in Annexes 3, 4 (a)-(j) and 5 including all contributions to and from reserves as set out in the attached Annexes with the exception of:

(a) Finance, Performance Management and Corporate Support Services (figure 4c) be reduced from £38,921,400 to £38,821,400;

(b) the contribution to revenue reserves be reduced from £217,561 to £171,757;

resulting in the sum of £19,731,051 to be met from Government grants and local taxation (figure 7c) and thus a Council Tax increase of 0.6% (£140.31 Band D)'; and

(2) That the medium term financial forecast be amended accordingly and that consequential amendments be made to recommendation (7):

7a - £104,521,024

7b - £84,789,973

7c - £19,731,051

7d - £9,321,608

7e - £192.70

7f - £2,830,204

7g - £140.31".

**Lost**

Report as first moved **ADOPTED**.

**RESOLVED:**

**Budget**

**(1) That the list of CSB growth for the 2008/09 budget (set out in Annex 1) be approved;**

**(2) That the list of District Development Fund items for the 2008/09 budget (set out in Annex 2) be approved;**

(3) That the revenue estimates for 2008/09 and the draft Capital Programme for 2008/09 be approved as set out in Annexes 3, 4 (a-j) and 5 including all contributions to and from reserves as set out in the attached Annexes;

(4) That the medium term financial forecast be approved as set out in Annexes 8a and 8b;

(5) That the 2008/09 HRA budget be approved and that the application of rent increases and decreases in accordance with the Government's rent reforms and the Council's approved rent strategy, resulting in an average increase of 6.7% from £68.09 to £72.67, be approved;

#### Declaration of Council Tax

(6) That it be noted that on 12 November 2007, the Finance, Performance Management and Corporate Support Services Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee calculated the following amounts for the year 2008/09 in accordance with regulations made under Section 33(5) and 34(4) of the Local Government Finance Act 1992:

(a) 54,017.3 being the amount calculated by the Council in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as the Council Tax Base for the year;

(b) Part of the Council's Area	Tax Base
Essex County Council (General Expenses)	54,017.3
Essex Police Authority	54,017.3
Essex Fire Authority	54,017.3
Epping Forest District Council (General Expenses)	54,017.3
Abess, Beauchamp & Berners Roding	202.7
Buckhurst Hill	5,230.1
Chigwell	5,942.0
Epping Town	5,026.9
Epping Upland	404.5
Fyfield	412.2
High Ongar	557.8
Lambourne	942.1
Loughton Town	12,812.1
Matching	318.9
Moreton, Bobbingworth and The Lavers	660.1
Nazeing	2,099.7
North Weald Bassett	2,552.2
Ongar	2,757.3
Roydon	1,307.5
Sheering	1,370.1
Stanford Rivers	358.3
Stapleford Abbotts	494.5
Stapleford Tawney	56.5
Theydon Bois	1,978.3
Theydon Garnon	66.3
Theydon Mount	109.4
Waltham Abbey Town	8,112.2
Willingale	245.6

being the amounts calculated by the Council in accordance with Regulation 6 of the Regulations as the amounts of the Council Tax Base for the year for dwellings in those parts of the area to which one or more special items relate;

(7) That the following amounts be now calculated for the year 2008/09 in accordance with sections 32 to 36 of the Local Government Finance Act 1992:

(a) £104,621,024 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) (a) - (e) of the Act;

(b) £84,744,169 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) (a) - (c) of the Act;

(c) £19,876,855 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the Council in accordance with Section 32(4) of the Act as its budget requirement for the year;

(d) £9,321,680 being the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non Domestic Rates and Revenue Support Grant and increased by the amount the Council estimates will be transferred in the year from its Collection Fund to the General Fund in accordance with Section 97(3) of the Local Government Finance Act 1988 and the amount which the Council estimates will be transferred from the Collection Fund to the General Fund pursuant to the Collection Fund (Community Charges) (England) Directions 1994 made under Section 98(4) of the Local Government Finance Act 1988;

(e) £195.40 being the amount at (c) above, less the amount at (d) above, all divided by the amount at (6)(a) above, calculated by the Council in accordance with Section 33(1) of the Act as the basic amount of its Council Tax for the year;

(f) £2,830,204 being the aggregate amount of all special items referred to in Section 34(1) of the Act;

(g) £143.01 being the amount at (e) above, less the result given by dividing the amount at (f) above by the amount of (6)(a) above, calculated by the Council in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;

(h) Part of the Council's Area	Amount
	£
Abess, Beauchamp & Berners Roding	167.68
Buckhurst Hill	208.97
Chigwell	177.36
Epping Town	214.62
Epping Upland	170.60
Fyfield	168.24
High Ongar	164.99
Lambourne	173.79
Loughton Town	190.86

Matching	168.72
Moreton, Bobbingworth and The Lavers	159.67
Nazeing	181.08
North Weald Bassett	188.99
Ongar	200.00
Roydon	163.99
Sheering	162.24
Stanford Rivers	171.48
Stapleford Abbotts	154.70
Stapleford Tawney	166.02
Theydon Bois	174.32
Theydon Garnon	157.53
Theydon Mount	156.79
Waltham Abbey Town	232.66
Willingale	158.89

being the amounts given by adding to the amount at (7)(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at (6)(b) above, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;

(i) the amounts shown in Annex 6 to this report, being the amounts given by multiplying the amounts at (7)(h) above by the number which is the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands;

(8) That it be noted that for the year 2008/09 the major precepting authorities have stated that the amounts shown in Annex 7 Part A (tabled) are the precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings shown;

(9) That, having calculated the aggregate in each case of the amounts at (7)(i) and (8) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts in Annex 7 Part B (tabled) as the amounts of Council Tax for the year 2008/09 for each of the categories of dwellings shown;

(10) That the Council's policy of retaining revenue balances at no lower than £3.7M or 25% of the net budget requirement whichever is the higher for the four year period to 2010/11 be amended to no lower than £4.0M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2011/12;

(11) That the recommendations included in the report on the Prudential Indicators and the Treasury Management Strategy for 2008/09 (set out in Annex 9) be approved; and



**(12) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2008/09 budgets and the adequacy of the reserves (see Annex 10) be noted.**

**(c) Calendar of Meetings - 2008/09**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present this report of the Cabinet.

**(Mover: Councillor C Whitbread - Finance, Performance Management and Corporate Support Services Portfolio Holder)**

The Portfolio Holder submitted a report proposing the programme of meetings of the Council for the municipal year 2008/09. He drew attention to the need for the Council to take account of a recommendation of the Overview and Scrutiny Committee for Area Plans Sub-Committees to be held on a three weekly cycle. The Portfolio Holder invited the Chairman of the Overview and Scrutiny Committee to report on the recommendation of that Committee.

Councillor R Morgan, Chairman of the Overview and Scrutiny Committee submitted a report on the work undertaken by the Constitution and Member Services Scrutiny Standing Panel and the Committee in relation to the frequency of Area Plans Sub-Committees.

By leave of the Council, the Chairman of the Overview and Scrutiny Committee moved the following recommendation of the Overview and Scrutiny Committee:

"That with effect from 2008/09, provision be made in the Council calendar of meetings for a meeting of each Area Plans Sub-Committee every three weeks".

**Carried**

The Portfolio Holder invited the Council to adopt a revised calendar of meetings incorporating a meeting of each Area Plans Sub-Committee every three weeks.

**Amendment moved by Councillor S Murray and seconded by Councillor Mrs J H Whitehouse**

"That no meetings be held on Maundy Thursday and the Joint Consultative Committee due to be held on that day be re-scheduled".

**Carried**

Report as amended **ADOPTED.**

**RESOLVED:**

... That the calendar of meetings for the period May 2008-May 2009 attached as Annex 11 to these minutes be adopted, subject to the officers re-scheduling the meeting of the Joint Consultative Committee due to be held on 9 April 2009.

**105. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE****(a) Local Government and Public Involvement In Health Act 2007 - Provisions relating to Elections**

**(Mover: Councillor R Morgan, Chairman of the Overview and Scrutiny Committee)**

Councillor Morgan submitted a report on the option of changing to whole council District Elections every four years and on other provisions in the Act relating to elections.

Report as first moved **ADOPTED**.

**RESOLVED:**

(1) That the option of changing to whole council District Elections every four years be not pursued; and

(2) That the other provisions in the Act relating to elections as set out in the report be noted.

**106. REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE****(a) Local Code of Governance**

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

Councillor Knapman submitted a report proposing the adoption of a revised Local Code of Governance.

Report as first moved **ADOPTED**

**RESOLVED:**

That the revised Local Code of Governance attached to the report of the Committee be adopted.

**107. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

Councillor Mrs M Sartin reported that she had attended on behalf of the Leader of the Council a meeting of the West Essex Area Forum. The meeting had considered youth issues in West Essex and an invitation had been extended to the Epping Forest and Harlow Youth Councils. Three of the newly elected Epping Forest Youth Council members had attended. There had been several presentations and information about road shows being organised by the Police targeted at under-aged drinking. The Youth Council members had asked well thought out questions and had raised issues about public transport including the need for timetables to be more readily available.

The meeting had also received a presentation from the Chairman of Harlow Renaissance who had outlined proposals for the redevelopment of the northern part of the Harlow Town Centre and the area around the station. There had also been a

discussion on the need for a realignment of the A414 and a new junction with the M11 north of Junction 7.

The County Council member for Adult Social Care had made a presentation on the future direction of social care in Essex and public meetings on this subject were due to be held in Chelmsford on 27 February and at the Latton Bush Centre, Harlow on 28 February.

#### **108. EXCLUSION OF PUBLIC AND PRESS**

In accordance with Section 100(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council's Procedure Rules, the Chairman advised that she had permitted on grounds of urgency, consideration of another item of business in order to enable steps to be taken to seek to acquire a vacant freehold commercial property.

##### **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 paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information.

<b>Agenda Item Number</b>	<b>Subject</b>	<b>Exempt Information Paragraph Numbers</b>
15	Depot Site – Bower Hill, Epping	3

#### **109. DEPOT SITE - BOWER HILL, EPPING**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, thanked the Chairman for allowing her to raise this item of business. She advised that the Council had learned the previous day that commercial premises in Bower Hill, Epping were to be auctioned on 27 February 2008. It was considered that this site could be suitable for a new Council Depot, replacing the current High Street premises and helping with the rationalisation of the Council's other depot accommodation. Accordingly, she was proposing to arrange for a Portfolio Holder decision to authorise the Director of Corporate Support Services to undertake a feasibility study into the suitability of the property as an alternative depot site and if found suitable to make arrangements for the Council to bid at the auction on 27 February 2008. Councillor Mrs Collins pointed out that it would also be necessary as part of the Portfolio Holder decision to waive the normal call-in period for decisions as there would be insufficient time before the auction to allow for a call-in.

Members were advised that there was no financial provision in the budget for this potential purchase and it was only the Council which could give approval to the provision of the necessary funds. In normal circumstances the Cabinet would consider the matter first and then come to the Council in order to gain approval for the funding but the timescale in this case did not permit this normal course of action.

The Council considered the request for finance.

**RESOLVED:**

That, in the event that the Council bids in the auction and a bid is successful, approval be given to utilising capital reserves to cover the purchase price subject to any bid not exceeding the maximum figure of £300,000.

**CHAIRMAN**