

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 26 June 2008

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.10 pm

Members Present: Councillors J Knapman (Chairman), Mrs P Smith (Vice-Chairman), R Barrett, R Bassett, A Boyce, Ms R Brookes, K Chana, Mrs S Clapp, M Cohen, Miss R Cohen, M Colling, Mrs D Collins, Mrs A Cooper, D Dodeja, R Frankel, Mrs R Gadsby, P Gode, Mrs A Grigg, Mrs H Harding, J Hart, Ms J Hedges, D Jacobs, Mrs J Lea, J Markham, Mrs M McEwen, R Morgan, J Philip, Mrs C Pond, G Pritchard, W Pryor, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, P Turpin, Mrs L Wagland, A Watts, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors K Angold-Stephens, Mrs P Brooks, J Collier, A Green, R Law, G Mohindra, S Murray, Mrs J Sutcliffe, H Ulkun and Mrs E Webster

Officers Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director Democratic Services), R Palmer (Director of Finance and ICT), T Carne (Public Relations and Marketing Officer), S Mitchell (PR Website Editor), P Tredgett (Information Assistant), P Maddock (Assistant Director Accountancy) and K Durrani (Assistant Director Technical Services)

24. WEBCASTING INTRODUCTION

Councillor J Knapman 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.

25. MINUTES

RESOLVED:

That the minutes of the Annual Council meeting held on 15 May 2008 be taken as read and signed by the Chairman as a correct record.

26. ANNOUNCEMENTS

(a) Announcements by the Chairman

(i) Events

Councillor Knapman reported on his attendance at the following events during the past month:

(a) Companion Dog Show 2008 organised by both the District Council and Waltham Abbey Town Council at Town Mead Park, Waltham Abbey as part of the promotion of responsible dog ownership;

(b) Crucial Crew 2008 event at Gilwell Park on 24 June - an interactive safety initiative based around life skills for all year six school pupils in the Epping Forest District schools designed to help children cope with dangerous situations, accept responsibility for their own safety, learn social responsibility and make sensible decisions based on acquired knowledge;

(c) West Essex Speak Out Challenge Regional Final on 17 June at the Davenant Foundation School as a judge selecting competition winners;

(d) Voluntary Action Epping Forest Volunteers Celebratory Tea on 13 June where he had handed out certificates and had been impressed with the voluntary work being undertaken in the District;

(e) Epping Forest Centenary Trust Reception and Supper at the Warren, Epping Forest, Loughton on 25 June in the presence of HRH The Duke of Gloucester KG, Ranger of Epping Forest and Patron of the Forest Education Initiative;

(f) The Royal Anglian Regiment Beating Retreat and Reception at Hatfield Peverel on 31 May;

(g) Members and Officers Annual 18-hole Golf Match at Chigwell Golf Club on 17 June which had raised approximately £650 for his charities; the Chairman thanked Council officers for organising the event.

(ii) Flowers

The Chairman announced that the floral display from tonight's meeting would be sent to Vitalise Jubilee Lodge, Chigwell.

(iii) Barry Land - Assistant Director Development

Councillor Knapman reported that Barry Land had recently suffered a heart attack and was currently in Barts Hospital having tests. On behalf of the Council the Chairman expressed best wishes to Mr Land for a speedy recovery and advised that he would be sending a bouquet of flowers to Mr Land's wife.

(b) Member Computer Training - Award of Certificates

The Chairman handed certificates to those members who had recently completed IT training.

27. PUBLIC QUESTIONS (IF ANY)

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

28. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND MEMBERS OF THE CABINET

The Council received oral reports from the Leader, the Chairman of the Overview and Scrutiny Committee, the Civil Engineering and Maintenance Portfolio Holder, the Community Wellbeing Portfolio Holder, the Environment Portfolio Holder, the Corporate Support and ICT Services Portfolio Holder, the Housing Portfolio Holder,

the Leisure and Young People Portfolio Holder and the Planning and Economic Development Portfolio Holder.

(a) Leader of the Council

The Leader reported on her attendance at meetings with the other Essex Authority Leaders and Chief Executives.

She advised that she was continuing to work with the Deputy Leader in partnership with Harlow District Council, East Herts District Council, Essex and Herts County Councils and Harlow Renaissance in relation to the enlargement of Harlow as required by the East of England Plan. She reported that developers were already discussing proposals for land to the west and south of Harlow within the Epping Forest District and that it be necessary for the Council to expedite the production of its Core Strategy documents as planning applications could be received within the next 12 months.

The Leader reported on a meeting with the Acting Principal of Epping Forest College who had expressed a desire to work more closely with the District Council. As a result regular meetings would be held with the College although the Acting Principal would shortly be leaving.

Councillor Mrs Collins advised that she had visited four of the Secondary Schools in the District, St Johns, King Harold, Debden Park and Davenant. Further visits to Roding Valley High and West Hatch were to take place within the next 10 days. She advised that the meetings had been constructive with all of the schools expressing a wish to work with the District Council.

The Leader also reported on a meeting of the West Essex Area Forum which had discussed the proposed expansion of Stansted Airport and Local Area Agreements.

Councillor Mrs Collins reported on a meeting with the newly appointed Police District Commander, Jonathan Baldwin who had expressed a desire to work closely with the Council.

Councillor Mrs Collins also referred to her attendance at the Crucial Crew event and the aim to extend that event in the future to cover year 9 children.

(b) Chairman of Overview and Scrutiny Committee

Councillor Morgan, Chairman of the Overview and Scrutiny Committee, reported on matters discussed by the Committee at its meeting on 5 June 2008. Catherine O'Connell, the Epping Forest Locality Director of the West Essex Primary Care Trust had given a very interesting presentation on the proposals to develop a GP lead Health Centre for West Essex and Health Services in Ongar. The meeting had also appointed members to the Standing and Task and Finish Panels for the coming year and had endorsed the Best Value Performance Plan for 2008/09.

(c) Civil Engineering and Maintenance Portfolio Holder

Councillor Bassett, Civil Engineering and Maintenance Portfolio Holder, advised that since taking over this Portfolio a month ago he had been working to familiarise himself with all aspects of the Portfolio. He advised that he had been working extensively with Highways on a number of ongoing problem areas that had been brought to his attention by members. One of his key objectives for the year was to progress the localisation initiative with Highways. He reported that he had already

asked for detailed plans of Highways Work Programmes for the coming year and he would circulate these to all members when he received them.

Councillor Bassett advised that he had received an early draft of a Town Centre Enhancement Review from Highways for parking at Loughton Broadway. He stated that he would be reviewing this document with officers and would ensure that a copy was placed in the Members' Room for comment as soon as possible. He advised that he would also be placing in the Members' Room, a copy of the Highways Agency's Regional Network Report for East of England 2008 which contained information on current major schemes, transport policy, economic policy and current and future network performance.

The meeting noted that in relation to drainage the Government had published a consultation document regarding future responsibilities for private drains and sewers. Councillor Bassett advised that he would provide an update in due course.

Councillor Bassett referred to the Pitt Review published on 25 June 2008 which looked at the flooding events in 2007. He reported that due to the wider implications of the recommendations he would be working with the Portfolio Holder for Community Wellbeing regarding the issues raised.

(d) Community Wellbeing Portfolio Holder

Councillor Ms Stavrou, Community Wellbeing Portfolio Holder, reported on an agreement between the Council and Virgin Media which would speed up the removal of unsightly graffiti from the company's green electricity cabinets across the District. Virgin Media had provided match funding and supplied the paint that would be distributed to the Council's graffiti removal contractors. She advised that the scheme would begin in the larger urban areas, such as Loughton, Epping and Buckhurst Hill, and would then be progressed throughout the rest of the District in the near future. The meeting noted that Epping Town Council had also expressed an interest in entering into a partnership arrangement with the District Council.

Councillor Ms Stavrou also referred to a meeting with the recently appointed Police District Commander and to her attendance at the Crucial Crew initiative.

The Portfolio Holder reported with regret that due to Health and Safety concerns it had been necessary to make arrangements for the suspension of the Lighthouse Furniture Project operation from Town Mead, Waltham Abbey. She reported that steps were being taken to identify a more suitable site.

(e) Environment Portfolio Holder

Councillor Mrs Sartin, Environment Portfolio Holder, reported that all of the major construction work in relation to the Bobbingworth Tip had now been completed. However, there was currently a problem in obtaining suitable soil. An initiative of Lord Hanningfield, Leader of Essex County Council would result in at least 4,000 trees being planted on the site. The meeting noted that a Group would be set up in due course to manage the site.

Councillor Mrs Sartin reported that the weekly collection of residual waste had commenced and would be continued for the 22 week period agreed by the Council. One of the current problems related to the supply of sacks for green waste which had to be biodegradable. The current supply met the specification requirements but resulted in an unpleasant smell when stored in a confined space. The Portfolio

Holder advised the Council that she would attempt to resolve this problem when new sacks were obtained.

The first meeting of the Waste Management Partnership Board was to be held on 15 July 2008. One of the issues to be discussed would be green waste and food waste collections.

Councillor Mrs Sartin drew attention to the responsibilities of Senior Officers in the Environment and Street Scene Directorate following restructuring which had been published in the Council Bulletin on 6 June 2008. She pointed out that each of the three Assistant Directors had been given the lead responsibility for Directorate matters for a geographical part of the District and that these areas corresponded to the Area Plans Sub-Committee areas.

The Portfolio Holder advised that following the concerns expressed at the last Council meeting regarding the arrangements for collecting stray dogs outside of normal office hours, officers were discussing the issue in an attempt to resolve the situation.

(f) Corporate Support and ICT Services Portfolio Holder

Councillor Cohen, Corporate Support and ICT Services Portfolio Holder, referred to national media reports about the over zealous use of CCTV by certain Councils. He advised that Councils' powers were contained in the Regulation of Investigatory Powers Act 2000 (RIPA) and having obtained details of how this Council used those powers he was able to reassure residents and members that the powers were being used very sparingly in this District. The Office of Surveillance Commissioners had recognised this sparing use following a recent inspection and had concluded that the Council's officers had an excellent awareness of RIPA issues. Councillor Cohen advised that between 2006 and 2008 only two requests had been made and granted and in both cases the evidence gathered had been used as part of disciplinary hearings. He assured members that the Council would continue to apply the law correctly and would only make use of the RIPA powers when it was necessary and proportionate.

Councillor Cohen advised that following the establishment of a dedicated resource within Human Resources working closely with managers across the Council there had been a significant improvement in staff sickness absence within the Council. Work was continuing to achieve further improvements.

(g) Housing Portfolio Holder

Councillor Stallan, Housing Portfolio Holder, reported that the Housing Directorate had received ISO 9001: 2000 re-accreditation following a three day assessment in May 2008. The Assessor had found that Housing continued to provide a consistently high quality service to its customers.

The meeting noted that as part of the normal assessment procedure, the Charter Mark Assessor would be undertaking within the next few weeks a 12-month review of the Housing Directorate's Charter Mark Award for Customer Service Excellence.

Councillor Stallan reported that the Housing Scrutiny Panel would be undertaking a 6-month review of the Choice Based Lettings Scheme at its next meeting. During the first six months, 252 properties had been allocated following over 15,000 expressions of interest being received.

The meeting noted that on the second Bank Holiday Monday in May, due to high winds and poor weather conditions, some scaffolding had collapsed at Highwood Lane, Loughton where re-roofing work was being undertaken on behalf of the Council. No one had been injured and Council staff and other appropriate agencies had all attended the site soon after the incident to make sure that it was made safe. A full investigation had been undertaken by the Housing Directorate and the Health and Safety Officer and it was not thought that the collapse was due in any way to negligence by the contractor. The Health and Safety Executive had been informed and had requested a report on the incident which had been provided.

The meeting noted that the Springfields Improvement Scheme in Waltham Abbey was currently on budget. A lot of work had been undertaken including service, drainage, foundations and scaffolding work, most of which was not particularly apparent. However, the contractor was about to commence roofing, overcladding and masonry work, which would be more noticeable to residents.

(h) Leisure and Young People Portfolio Holder

Councillor Mrs Harding, Leisure and Young People Portfolio Holder, advised that she had been meeting Council officers in order to become fully acquainted with the Portfolio. The Leisure Centres, Sports Centre and Swimming Pool being run by SLM were all working well and the Leisure Task and Finish Scrutiny Panel would be concluding negotiations with the King Harold School shortly and making recommendations to the Cabinet in respect of the future management of that existing dual use facility.

The Portfolio Holder advised that as the Young People's Champion she proposed to take an active role in the Child Matters Scheme, liaising with other agencies, attending meetings of the Epping Forest Children and Young Peoples Strategic Partnership and working with the Youth Council.

Councillor Mrs Harding praised the work being undertaken by the Community and Culture Section of the Council which had resulted in many external grants being procured.

(i) Planning and Economic Development Portfolio Holder

Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder, advised that Essex County Council was to remove the fifth arm junction at Brooklyn Parade/High Road, Loughton as part of the Loughton Town Centre Enhancement. The County Council had also expressed interest in taking forward Phases 3 and 4 of the Enhancement Scheme by funding some design work. More detailed discussions would be taking place with the West Essex Highways Manager in relation to this offer.

The Portfolio Holder advised that the consultation process in respect of the Development Design Brief for the Loughton Broadway Regeneration Scheme would run from 23 June until 18 July 2008. There would be a series of events aimed at gauging local views on the proposals and a special leaflet would be produced together with information on the Council's website. Meetings would be held with Stakeholder Groups and a travelling exhibition would be stationed at various locations during the 4-week consultation period. It was also hoped to publish the proposals by way of a market stall on 10 July 2008. Councillor Mrs Grigg advised that she anticipated submitting a report to the Cabinet on 1 September 2008 regarding the results of the consultation exercise.

29. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Housing Provision****By Councillor J Markham to Councillor Mrs D Collins, Leader of the Council**

Councillor Markham referred to the statement made earlier in the meeting by Councillor Mrs Collins regarding the East of England Plan proposals and questioned whether the housing provision requirements were still feasible given the current lack of house building and drop in the number of mortgage applications.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that developers had already expressed an interest in land to the west and south of Harlow and in view of the encouragement being given to them by the Government it was expected that proposals would come forward within the early part of the 20-year plan.

(b) Epping Parking Review**By Councillor Mrs J H Whitehouse to Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder**

Councillor Mrs Whitehouse requested an update on the Epping Parking Review.

Response by Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder

Councillor Bassett advised that the comments submitted to the County Council were still receiving consideration.

(c) Buckhurst Hill Parking Review**By Councillor Mrs A Haigh to Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder**

Councillor Mrs Haigh advised that the residents of Buckhurst Hill were still awaiting a parking review and asked the Portfolio Holder if he could advise when the process would start.

Response by Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder

Councillor Bassett advised that he was unable to specify a firm date and undertook to provide a written response setting out the timescales for all of the parking reviews.

(d) School Provision**By Councillor Mrs A Haigh to Councillor Mrs D Collins, Leader of the Council**

Councillor Mrs Haigh advised that children in Buckhurst Hill had been unable to obtain a primary school place in Buckhurst Hill and were having to travel to Chigwell. She suggested that the shortfall in primary school provision was partly due to the County Council failing to recognise that people living in flats, of which there were many in Buckhurst Hill, would have children.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that when receiving proposals for the development of flats there was a need to give early consideration to the possibility of occupants having children so that discussions could take place with the developers regarding the possibility of entering into a suitable Section 106 Agreement.

(e) Future Development to the East of Harlow**By Councillor D Jacobs to Councillor Mrs D Collins, Leader of the Council**

Councillor Jacobs referred to the possible expansion of Harlow in the vicinity of Matching and Sheering and asked how many units were proposed in the East of England Plan for that area, whether such development would be west of the M11 motorway and whether any development would take account of the possible need for another junction on the motorway.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that there was currently no figure for development east of Harlow but it was anticipated it would be a comparatively small number (possibly 500-1,000). She advised that she would resist any development east of the M11 motorway and pointed out that additional units were still to be provided as part of the New Hall development and these would be taken into account in relation to the required provision. Councillor Mrs Collins reiterated that the Council would work in partnership with Harlow District Council regarding the required provision. She also advised that the need to safeguard land for a future junction with the motorway was well appreciated. She drew attention to the proposals for providing a fourth lane on the motorway between Harlow and Stansted which was likely to be funded by the British Airports Authority and pointed out that working with the County Council the need for a new junction had been made clear.

(f) Bobbingworth Tip**By Councillor D Jacobs to Councillor Mrs M Sartin, Environment Portfolio Holder**

Councillor Jacobs referred to the statement made by the Portfolio Holder about the lack of suitable soil and asked if there was a projected end date for the scheme. He also asked if Ongar Town Council was being kept informed of progress.

Response by Councillor Mrs M Sartin, Environment Portfolio Holder

Councillor Mrs Sartin advised that she could not provide an end date and pointed out there was a considerable gap between the anticipated number of lorry movements delivering soil and the actual numbers at present. She confirmed that there was ongoing liaison with Ongar Town Council.

(g) Housing Market**By Councillor J M Whitehouse to Councillor D Stallan, Housing Portfolio Holder**

Councillor Whitehouse asked the Portfolio Holder about the implications for the housing market of the current economic climate.

Response by Councillor D Stallan, Housing Portfolio Holder

Councillor Stallan said he was aware of the effects of the current economic situation on housing provision and consideration was being given to a number of initiatives. He advised that the Director of Housing was currently discussing with Moat Housing the possibility of the Open Market Home Buy Scheme, deferred pending analysis of a similar scheme being introduced by the Housing Corporation, being adapted into a Mortgage Rescue Scheme whereby existing home owners in financial difficulty could sell part of their property's equity to Moat on a shared ownership basis, to avoid repossession.

(h) Disposal of Nuclear Materials**By Councillor R Frankel to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

Councillor Frankel referred to the request for the Council to identify available land and asked if any sites in the District would be identified as being suitable for burying nuclear waste.

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

Councillor Mrs Grigg advised that no land would be identified for this purpose. Councillor Mrs Collins advised that she had recently learned that nuclear waste would be retained on existing sites.

(i) Parking in Forest Road, Loughton**By Councillor Mrs C Pond to Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder**

Councillor Mrs Pond acknowledged the deferral of general parking reviews and asked whether consideration could be given to smaller schemes and cited Forest Road, Loughton as an area in need of attention.

Response by Councillor R Bassett, Civil Engineering and Maintenance Portfolio Holder

Councillor Bassett advised that if members drew his attention to specific issues throughout the District he would make arrangements for Highways Officers to meet with local representatives in order to discuss possible schemes.

30. MOTIONS**(a) Nazeing****Moved by Councillor Mrs A Cooper and seconded by Councillor P Gode**

"That this Council:

"In the interests of road safety and economic development urgently request Essex County Council to re-consider and note:

- (a) the contents of the attached report by the mover of the motion;

- (b) the suitability of County routes and minor roads in Dobbs Weir;
- (c) the findings of the Focus Day 10 March 2007 and report dated 22 May 2007;
- (d) the findings of the Road Traffic Survey conducted 7 March 2007 and reports dated January and May 2008;
- (e) the impact of the expansion of a large commercial area on the Essex border upon a road system that is not fit for purpose due to its age, design and functionality;
- (f) that Section 106 funding for road infrastructure seems to have been applied exclusively to roads on the Hertfordshire side of boundary;
- (g) the impact of granting of vehicle operator licences for lorry parks within the residential and weight restricted areas of Nazeing;

with a view to restricting, redirecting HGV's and taking physical action to reduce the risks to local residents and businesses".

Carried

Motion as first moved **ADOPTED**.

RESOLVED:

That this Council:

In the interests of road safety and economic development urgently request Essex County Council to re-consider and note:

- (a) the contents of the report submitted by the Mover of the motion;
- (b) the suitability of County routes and minor roads in Dobbs Weir;
- (c) the findings of the Focus Day 10 March 2007 and report dated 22 May 2007;
- (d) the findings of the Road Traffic Survey conducted 7 March 2007 and reports dated January and May 2008;
- (e) the impact of the expansion of a large commercial area on the Essex border upon a road system that is not fit for purpose due to its age, design and functionality;
- (f) that Section 106 funding for road infrastructure seems to have been applied exclusively to roads on the Hertfordshire side of boundary;
- (g) the impact of granting of vehicle operator licences for lorry parks within the residential and weight restricted areas of Nazeing;

with a view to restricting, redirecting HGV's and taking physical action to reduce the risks to local residents and businesses.

(b) Highway Repairs

Moved by Councillor Mrs P Richardson and seconded by Councillor D Bateman.

"That the Portfolio Holder for Civil Engineering and Maintenance -

- (a) obtain from Essex County Council the following information:
- (i) the status, financial allocation and costs of road repairs (potholes) in the District;
 - (ii) the cost of "spot" road repairs per visit;
 - (iii) the cost of temporary road repairs per visit bearing in mind their short lifespan; and
- (b) seek assurances from the County Council that it will ensure that its contractors carry out road repairs to a higher standard and in a shorter timescale thereby achieving better value for money and a level of service which reflects what residents want".

The Chairman of the Council advised Councillor Mrs Richardson that he had been informed by the Civil Engineering and Maintenance Portfolio Holder that the Council was already in receipt of this information and he questioned whether she wished to proceed with her motion. Councillor Mrs Richardson confirmed that she wished to proceed with her motion.

Lost

RESOLVED:

- (1) That no further action be taken in relation to this motion; and
- (2) That the Civil Engineering and Maintenance Portfolio Holder publish in the Council Bulletin details of the information already held by the Council.

31. QUESTIONS BY MEMBERS UNDER NOTICE

There were no questions asked by Members under this item.

32. REPORT OF THE CABINET - BEST VALUE PERFORMANCE PLAN 2008/09

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

(Mover: Councillor C Whitbread - Finance and Performance Management Portfolio Holder)

The Portfolio Holder presented a report on the draft Best Value Performance Plan for 2008/09.

Report as first moved **ADOPTED.**

RESOLVED:

That the draft Best Value Performance Plan for 2008/09 be adopted.

33. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE - GYPSY AND TRAVELLER ACCOMMODATION - REGIONAL SPATIAL STRATEGY SINGLE ISSUE REVIEW

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

(Mover: Councillor C Whitbread - Finance and Performance Management Portfolio Holder)

The Portfolio Holder presented a report requesting a supplementary estimate to meet the projected additional costs of engaging a consultant for a further period.

Report as first moved **ADOPTED**

RESOLVED:

That a revenue District Development Fund supplementary estimate in the sum of £19,200 be approved for 2008/09 to meet the projected additional costs of engaging a Consultant for a further three month period in order to:

(a) allow him to continue work on the Gypsy and Traveller Development Plan Document; and

(b) prepare the Council's case for this year's Examination in Public and, if needed, to appear at the Examination to represent the Council.

34. REPORT OF THE CABINET - PLANNING APPEAL - AWARD OF COSTS - WANSFELL COLLEGE, PIERCING HILL, THEYDON BOIS

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

(Mover: Councillor C Whitbread - Finance and Performance Management Portfolio Holder)

The Portfolio Holder presented a report seeking a supplementary estimate to cover the costs awarded against the Council following a planning appeal. The meeting noted that the appellant had submitted a Bill of Costs through the High Court for £56,748.89. The Portfolio Holder advised that officers had challenged the claim, initially simply by exchange of correspondence, though it was anticipated that the Bill of Costs would need to be formally challenged with the expertise of a Costs Draughtsman. He advised that the Council's initial position had been to offer less than 50% of the costs claimed. Members noted that there was no budget provision available for paying costs of this sum. Although small amounts were generally subsumed within the overall budget, an award in excess of £20,000 needed to be the subject of a supplementary estimate.

Report as first moved **ADOPTED**

RESOLVED:

That a revenue DDF supplementary estimate in a sum to be confirmed be approved for 2008/09 to cover the costs awarded against the Council following a planning appeal in relation to development at Wansfell College, Theydon Bois.

35. STATUTORY STATEMENT OF ACCOUNTS 2007/08

(Mover: Councillor C Whitbread - Finance and Performance Management Portfolio Holder)

The Portfolio Holder presented a report and the draft Statutory Statement of Accounts for the financial year ending 31 March 2008. He drew attention to the supplementary agenda regarding the discussions which had taken place at the Audit and Governance Committee on 23 June 2008 and included a number of amended pages.

Report as amended by the supplementary agenda **ADOPTED**

RESOLVED:

That the Statutory Statement of Accounts for the financial year ending 31 March 2008 including amended Pages vii, 10, 20, 21, 23, 24, 30, 31 and 32 be approved.

36. OVERVIEW AND SCRUTINY COMMITTEE

The Council noted that the Liberal Democrats Group had given notice that it wished to nominate Councillors Mrs J H Whitehouse as a member of the Overview and Scrutiny Committee in place of Councillor Mrs A Haigh who had been appointed at the Annual meeting.

RESOLVED:

That the appointment of Councillor Mrs J H Whitehouse as a member of the Overview and Scrutiny Committee for the remainder of the current municipal year on the nomination of the Liberal Democrats Group be agreed.

37. COMMITTEES, SUB-COMMITTEES AND PANELS - APPOINTMENTS OUTSTANDING FROM THE ANNUAL COUNCIL MEETING

The Council considered nominations for appointments which had not been made at the Annual Council meeting.

By leave of the Council, Councillor Mrs D Collins, Leader of the Council requested that one of the representatives appointed at the Annual meeting to the Waltham Abbey Tourist Information Centre Joint Management Committee be changed.

RESOLVED:

(1) That the following appointments be made for the remainder of the current municipal year:

(a) Joint Consultative Committee - a vacant seat - Councillor B Rolfe;

- (b) Complaints Panel - Vice-Chairman - Councillor J Philip;
 - (c) Group Representatives on Area Plans Sub-Committee South -
Conservative Group - Councillor Mrs L Wagland
Liberal Democrats Group - Councillor P Spencer;
 - (d) Group Representatives on Area Plans Sub-Committee East -
Conservative Group - Councillor B Rolfe
Liberal Democrats Group - Councillor R Frankel;
 - (e) Group Representative on Area Plans Sub-Committee West -
Conservative Group - Councillor Mrs P Smith;
 - (f) Group Representatives on District Development Control Committee -
Conservative Group - Councillor J Hart
Liberal Democrats Group - Councillor Mrs A Haigh;
 - (g) Staff Appeals Panel - substitute member -
Conservative Group - Councillor Mrs P Smith; and
- (2) That Councillor Mrs J Lea be appointed as a representative on the Waltham Abbey Tourist Information Centre Joint Management Committee for the remainder of the current municipal year in place of Councillor Ms S-A Stavrou.

38. COUNCIL MEETING - SEPTEMBER 2008

The Chairman reported that at the last meeting of the Council, members had requested that the date of the Council meeting in September 2008 be changed as 30 September 2008 was the Jewish New Year. Members noted that a Council meeting in September would only be held if the auditors required the accounts to be changed and re-approved. This had not been necessary last year but it had been the year before that. If the accounts needed to be changed it would be necessary to re-approve them by not later than 30 September.

RESOLVED:

That the meeting originally scheduled to take place on 30 September 2008 be held, if necessary, on 25 September 2008.

39. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

There were no reports for consideration under this heading.

CHAIRMAN