

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 17 February 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.40 pm

Members Present: Councillors J Knapman (Chairman), Mrs P Smith (Vice-Chairman), K Angold-Stephens, R Barrett, R Bassett, D Bateman, A Boyce, Mrs R Brookes, Mrs P Brooks, K Chana, Mrs S Clapp, M Cohen, Miss R Cohen, J Collier, M Colling, Mrs D Collins, R Frankel, Mrs R Gadsby, P Gode, Mrs A Grigg, Mrs A Haigh, Mrs H Harding, J Hart, D Jacobs, R Law, J Markham, Mrs M McEwen, G Mohindra, R Morgan, Mrs C Pond, G Pritchard, W Pryor, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, P Turpin, H Ulkun, Mrs L Wagland, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors Mrs A Cooper, D Dodeja, A Green, Ms J Hedges, S Murray and J Philip

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), S G Hill (Senior Democratic Services Officer), A Hendry (Democratic Services Officer) and J Boreham (Assistant Public Relations and Information Officer)

105. 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.

106. FORMER DISTRICT COUNCILLOR BILL EASTON

It was with much sadness that the Chairman informed the Council of the death of former District Councillor Bill Easton.

Following the Chairman's announcement, Councillors Mrs D Collins and R Morgan paid tribute to former Councillor Easton. Members were advised that Bill Easton had represented the Roydon Ward for 12 years between 1984 and 1986. He had been Chairman of the Council in 1993/94 and Vice Chairman of the Council in 1992/93.

The Council expressed their condolences to the family of Bill Easton. All present stood for a minute's silence in tribute to the memory of former Councillor Easton.

107. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 16 December 2008 be taken as read and signed by the Chairman as a correct record.

108. DECLARATIONS OF INTEREST

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

109. ANNOUNCEMENTS**(a) Announcements by the Chairman**

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

- (i) the Redbridge Annual Pantomime;
- (ii) the Tudors and Stuarts Exhibition at Epping Forest District Museum.

The Chairman was advised that he would be attending the opening of a Medieval Treasures Exhibition at Epping Forest District Museum on 18 February 2009.

The Chairman reminded members that his Charity Quiz would be held on 20 February 2009 at Theydon Bois Village Hall. He expressed his thanks to Ian Willett and other officers for organising the event. He also reminded members of the need to reply to his invitation to attend the Civic Awards event on 20 March 2009.

The Chairman advised that he had provided a tour of the Civic Offices and afternoon tea for representatives of an Indian school participating in an exchange with St John's School, Epping. He advised that the exchange formed part of the Youth Sports Trust/UK Sport Initiative to ensure a long lasting legacy to sport following the 2012 London Olympics.

The Chairman announced that he would be participating in an abseil of the Church Langley Water Tower, Harlow on 2 May 2009 and would be seeking donations to his charity.

(b) Announcements by the Leader of the Council and other Cabinet members

There were no announcements made by Cabinet members.

110. PUBLIC QUESTIONS (IF ANY)

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

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

The Council received written reports from the Chairman of the Overview and Scrutiny Committee, the Civil Engineering and Maintenance Portfolio Holder, the Community Wellbeing Portfolio Holder, the Environment Portfolio Holder, the Housing Portfolio Holder and the Leisure and Young People Portfolio Holder.

The Chairman invited the Leader, Chairman of the Overview and Scrutiny Committee and members of the Cabinet to provide an oral report or an oral update of their written reports.

(a) Leader of the Council

Councillor Mrs Collins expressed her gratitude to the Council's Land Drainage Team for their work on the evening/early hours of 9/10 February 2009 in clearing a blockage from a storm grill in Loughton which had saved many residents and businesses in Loughton High Road from the very real possibility of a major flooding incident. The Leader advised that the Council's officers had acted when the Environment Agency whose responsibility it was to deal with such matters had advised that they were unable to assist. Councillor Mrs Collins reported that she would be writing to the Environment Agency expressing disappointment at their response.

The Leader thanked Sita, the Council's waste collection contractors, for their work in collecting recycling materials and waste speedily after the disruption to the service caused by the severe weather conditions.

Councillor Mrs Collins advised that on 30 January 2008 she had hosted an event at which she had announced the Staff Awards for 2008/9. Together with the Environment Portfolio Holder, Councillor Mrs Sartin, she had presented certificates to the winners and high commendation certificates to the runners up in each of three categories. She also advised that the winners of each category would be presented with a trophy at the Annual Civic Awards event on 20 March 2009. The Council noted that the winners in each of the categories were as follows:

Improving Services for the Community – Simon Hill
Innovation – The Youth Council Strategy Team
Dealing with the Public – Epping Forest Careline

Councillor Mrs Collins advised that she was continuing to attend meetings with Harlow Renaissance about the delivery of regeneration projects and the planning of the growth of Harlow.

The Leader advised that on 13 February 2009 she had received a large number of responses to the Consultation on Options for the Development Plan Provision for Gypsies and Travellers signed by several thousand residents. She advised that officers were continuing to collate responses and reminded members that the consultation exercise would finish at 5 pm on 20 February 2009.

The Council noted that together with the Planning and Economic Development Portfolio Holder, Councillor Mrs Grigg, the Leader had met with residents and traders to discuss the Loughton Broadway Town Centre Enhancement Scheme.

The Leader reported that work had commenced on a design brief for development in the vicinity of St John's Road, Epping.

Councillor Mrs Collins advised that together with the Environment Portfolio Holder, Councillor Mrs Sartin, she had attended Epping Forest College and had met the Acting Principal. She had also spoken to the Chairman of Governors regarding recent press publicity. A meeting had also been held with the Head Teachers of local secondary schools and steps were being taken to seek improved sixth form provision within the District in the short term. Councillor Mrs Collins emphasised the need for all parties to work together in seeking improvements to the College and advised that Eleanor Laing MP was also pursuing issues with the Education Minister.

(b) Planning and Economic Development Portfolio Holder

Councillor Mrs Grigg advised that she had been unable to complete her report for this meeting following problems with her computer and that she would publish her report in the Council Bulletin.

(c) Environment Portfolio Holder

Councillor Mrs Sartin thanked everyone who had helped ensure that services were maintained during the recent severe weather conditions. She also thanked residents for their patience and understanding for not receiving the normal levels of service during the exceptional circumstances.

(d) Civil Engineering and Maintenance Portfolio Holder

Councillor Bassett advised that the severe weather conditions had resulted in many highway defects. He advised that he had asked the County Council if additional resources could be made available to repair the highways and he was awaiting a reply to that request.

Councillor Bassett advised that he was taking forward the highways localism programme and would be submitting a report on proposals to the Cabinet in March 2009.

Councillor Bassett added his thanks to the Land Drainage officers for the work they had undertaken on 9/10 February 2009. He also advised that sandbags had been provided by the Council to residents of several properties across the District but that despite the Council's best efforts five properties had been flooded. Councillor Bassett advised that he would be reviewing steps which could be taken by the Council in relation to future similar incidents although the responsibility for these matters rested with the Environment Agency.

(e) Corporate Support and ICT Services Portfolio Holder

Councillor Cohen advised that he would publish in the Council Bulletin matters of interest to members including the involvement of Corporate Support Services officers in relation to the Gypsy and Traveller Consultation exercise.

112. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Flooding**

By Councillor Mrs P Richardson to Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Richardson asked if it would be possible to recharge the Environment Agency for the work undertaken by Council officers in preventing flooding.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that she would be pursuing this suggestion.

(b) In-house Services**By Councillor R Frankel to Councillor Mrs D Collins, Leader of the Council**

Councillor Frankel referred to the work undertaken by officers in preventing flooding in the District and asked if she agreed this was an endorsement for keeping services in-house even if apparent savings could be achieved by outsourcing.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that the Council had retained the services of the two Land Drainage officers even though the responsibility for this type of work now rested with the Environment Agency following the award of a contract to them.

(c) Epping Forest College**By Councillor Mrs P Richardson to Councillor Mrs D Collins, Leader of the Council**

Councillor Mrs Richardson asked if the Leader was aware of changes to take place in 2010 whereby the Learning and Skills Council would no longer have responsibility for colleges.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins confirmed that she was aware of this change which would result in the County Council taking over responsibility. She advised that this was part of the reason the College was not receiving the level of support it required to improve and for this reason the local Member of Parliament had made representations to the Education Minister.

(d) Waste Management Service**By Councillor J M Whitehouse to Councillor Mrs M Sartin, Environment Portfolio Holder**

Councillor Whitehouse asked if it was the Portfolio Holder's intention to consult other members before making decisions about the collection of food waste.

Response by Councillor Mrs M Sartin, Environment Portfolio Holder

Councillor Mrs Sartin confirmed that discussions would take place through the Partnership Board, the Safer, Cleaner, Greener Scrutiny Panel and the Cabinet.

(e) Waltham Abbey Sports Centre**By Councillor Mrs P Brooks to Councillor Mrs H Harding, Leisure and Young People Portfolio Holder**

Councillor Mrs Brooks referred to the decision to end the Joint User Agreement with King Harold School and asked what steps were being taken to ensure continuity of public use of sports facilities in the locality pending the provision of new facilities at the Waltham Abbey Swimming Pool.

Response by Councillor Mrs H Harding, Leisure and Young People Portfolio Holder

Councillor Mrs Harding referred to the long relationship with the school and expressed the hope that the school would encourage the local community to use the facility when it was not in use by the school. She acknowledged there would be a reduction in District Council provision for a period but referred to the availability of facilities at other sports and leisure centres across the District.

(f) Parsonage Court and Oakwood Hill Estate, Loughton**By Councillor Mrs R Brookes to Councillor D Stallan, Housing Portfolio Holder**

Councillor Mrs Brookes drew attention to the conditions at Parsonage Court during the recent cold weather and asked if it was possible to consider providing double glazing at the building. She also asked if it would be possible to upgrade the internal and external lighting on the Oakwood Hill Estate.

Response by Councillor D Stallan, Housing Portfolio Holder

Councillor Stallan advised that he would discuss these matters with officers in Housing Services and would advise the member of the outcome.

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

Councillor Mrs Haigh advised that at the last meeting of the Overview and Scrutiny Committee she had expressed concern about the lack of progress in relation to this review and that at that meeting County Councillor Hume had advised that he would be having a meeting the following week to progress the matter. Councillor Mrs Haigh asked if the meeting had taken place and if so what had been the outcome.

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

Councillor Bassett advised that he had not met Councillor Hume during the last few weeks but he had met with Highways officers and had informed them of his displeasure about the delays relating to parking reviews. He advised that he now expected to receive data by the end of February and that he would share any information received with members.

(h) Advertising on Roundabouts**By Councillor Mrs A Haigh to Councillor Mrs D Collins, Leader of the Council**

Councillor Mrs Haigh referred to applications to be considered by the District Development Control Committee on 2 March 2009 regarding advertisements on roundabouts and, in particular, those immediately adjoining Epping Forest. She expressed concern about the possible effects of this advertising on the Forest and asked the Leader if she shared this concern.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that these applications had come as a result of an initiative from the former Civil Engineering and Maintenance Portfolio Holder to increase income. She stated that she understood the concerns being expressed by the member and advised that she expected these concerns to receive consideration by the Committee.

(i) Waste Service Development Plan**By Councillor D Jacobs to Councillor Mrs M Sartin, Environment Portfolio Holder**

Councillor Jacobs referred to the funding from the County Council in support of new services such as a collection of food waste and asked why this Council would not be receiving an equivalent amount to that being made available to other authorities.

Response by Councillor Mrs M Sartin, Environment Portfolio Holder

Councillor Mrs Sartin said that she could not verify the funding to be made available to other authorities. She confirmed that funding would not be made available pro rata and would be based on individual submissions put forward by the collecting authorities.

(j) Savers Union**By Councillor Mrs J H Whitehouse to Councillor C Whitbread, Finance and Performance Management Portfolio Holder**

Councillor Mrs Whitehouse asked the Portfolio Holder if he was prepared to revise his views on the use of Council premises as it was apparent that in Basildon the Civic Offices were being used as a collection point.

Response by Councillor C Whitbread, Finance and Performance Management Portfolio Holder

Councillor Whitbread advised that this issue was being considered through Overview and Scrutiny and that if overwhelming evidence came to light to show that the use of Council premises as collection points was not contrary to Financial Services Agency regulations the matter would receive further consideration.

(k) Rethink**By Councillor P Turpin to Councillor Mrs D Collins, Leader of the Council**

Councillor Turpin referred to a booklet which he claimed had been issued by the Council and which included an advertisement for a new mental health service for black and minority ethnic groups. He asked the Leader of the Council why this service was being restricted to those groups.

Response by Councillor Mrs D Collins, Leader of the Council

Councillor Mrs Collins advised that she believed this to be a service being offered by West Essex PCT. She emphasised that everyone in the District was treated equally and she suggested that the advertisement simply drew attention to the fact that the same level of service was available to everyone.

(l) Loughton High Road Enhancement – Tree Planting**By Councillor J Markham to Councillor Mrs A Grigg, Planning and Economic Development Portfolio Holder**

Councillor Markham stated that despite numerous meetings and assurances trees had still not been planted in Loughton High Road as part of the Enhancement Scheme. He sought an assurance that the trees would be planted during the next planting season.

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

Councillor Mrs Grigg said that she also was concerned about the delays. She advised that it was her understanding the trees would possibly be planted during the current planting season before the end of March or if not during the next planting season.

(m) Loughton Broadway Enhancement Scheme – Health Centre**By Councillor Mrs P Richardson to Councillor Ms S-A Stavrou, Community Wellbeing Portfolio Holder**

Councillor Mrs Richardson asked if any response had been received from the PCT in relation to the possible provision of a health centre for the elderly.

Response by Councillor Ms S-A Stavrou, Community Wellbeing Portfolio Holder

Councillor Ms Stavrou advised that she had not yet received a reply and that she would pursue the matter.

113. MOTIONS**(a) Local Development Framework Cabinet Committee****Moved by Councillor Mrs A Grigg and seconded by Councillor Mrs D Collins**

“(1) That a Local Development Framework Cabinet Committee be appointed with the following terms of reference:

(a) To oversee and submit recommendations to the Cabinet as appropriate on:

(i) the preparation of the Local Development Framework (LDF);

(ii) the preparation of the Core Strategy including agreement of consultation stages and documentation, and the responses that should be made to any representations received;

(iii) the preparation of other Development Plan Documents including agreement of consultation stages and documentation, and the responses that should be made to any representations received;

- (iv) the preparation of Supplementary Planning Documents including agreement of consultation stages and documentation, and the responses that should be made to any representations received;
- (v) the revision of the Local Development Scheme and monitoring the achievement of milestones;
- (b) To consider and provide input to consultants' reports which contribute to the establishment of an up-to-date evidence base to influence preparation of the LDF;
- (c) To consider options for joint or co-ordinated working with other councils, which best meet the needs of this District, as required by the East of England Plan and (where relevant) the London Plan and to make recommendations to the Cabinet thereon;
- (d) To consider the comprehensive review of the East of England Plan, and make recommendations to the Cabinet on any responses to be made;
- (e) To liaise with the Planning Services Scrutiny Standing Panel as appropriate; and
- (f) To work within the budgetary provision for the LDF, as approved by the Cabinet and the Council;
- (2) That the membership of the Committee comprise of Councillors R Bassett, Mrs D Collins, Mrs A Grigg, Mrs M Sartin, D Stallan, Ms S-A Stavrou, and C Whitbread;
- (3) That the Committee be chaired by the Portfolio Holder for Planning and Economic Development;
- (4) That the first meeting of the Committee be held on 24 March 2009."

Mover: Councillor Mrs D Collins

Seconder: Councillor Mrs A Grigg

By leave of the Council it was agreed that the motion be amended to allow for the first meeting of the Committee to be held on a date to be notified.

Carried

Motion as amended ADOPTED

RESOLVED:

- (1) That a Local Development Framework Cabinet Committee be appointed with the following terms of reference:
 - (a) To oversee and submit recommendations to the Cabinet as appropriate on:
 - (i) the preparation of the Local Development Framework (LDF);
 - (ii) the preparation of the Core Strategy including agreement of consultation stages and documentation, and the responses that should be made to any representations received;

(iii) the preparation of other Development Plan Documents including agreement of consultation stages and documentation, and the responses that should be made to any representations received;

(iv) the preparation of Supplementary Planning Documents including agreement of consultation stages and documentation, and the responses that should be made to any representations received;

(v) the revision of the Local Development Scheme and monitoring the achievement of milestones;

(b) To consider and provide input to consultants' reports which contribute to the establishment of an up-to-date evidence base to influence preparation of the LDF;

(c) To consider options for joint or co-ordinated working with other councils, which best meet the needs of this District, as required by the East of England Plan and (where relevant) the London Plan and to make recommendations to the Cabinet thereon;

(d) To consider the comprehensive review of the East of England Plan, and make recommendations to the Cabinet on any responses to be made;

(e) To liaise with the Planning Services Scrutiny Standing Panel as appropriate; and

(f) To work within the budgetary provision for the LDF, as approved by the Cabinet and the Council;

(2) That the membership of the Committee comprise of Councillors R Bassett, Mrs D Collins, Mrs A Grigg, Mrs M Sartin, D Stallan, Ms S-A Stavrou, and C Whitbread;

(3) That the Committee be chaired by the Portfolio Holder for Planning and Economic Development;

(4) That the first meeting of the Committee be held on a date to be notified.

(b) Concessionary Fares – London Underground Service

Moved by Councillor D Bateman and seconded by Councillor H Ulkun

By leave of the Council, Councillor Bateman with the consent of Councillor Ulkun the seconder, amended the wording of his motion to read.

“(1) That this Council asks the Overview and Scrutiny Committee to recognise the real benefit to local people including those whom I represent of introducing free London Underground passes for residents in the District aged 65 years and above, to include the Central Line to Epping, bearing in mind that this District is the only area served by the Underground without this valuable facility; and

(2) That the Overview and Scrutiny Committee be asked to establish a Task and Finish Panel to ensure that the review is completed without delay.”

Attention was drawn to the fact that other areas served by the Underground did not benefit from this facility.

By leave of the Council and with the consent of the seconder, Councillor Bateman further amended his motion to remove the words in (1) above after "Central Line to Epping".

Carried

Motion as amended ADOPTED

RESOLVED:

(1) That this Council asks the Overview and Scrutiny Committee to recognise the real benefit to local people including those in the Grange Hill Ward of introducing free London Underground passes for residents in the District aged 65 years and above, to include the Central Line to Epping; and

(2) That the Overview and Scrutiny Committee be requested to establish a Task and Finish Panel to ensure that the review is completed without delay.

114. QUESTIONS BY MEMBERS UNDER NOTICE

(a) To any member of the Cabinet

(i) Green Waste Collection System

By Councillor Mrs C Pond to Councillor Mrs M Sartin, Environment Portfolio Holder

"When the proposed changes to the green waste collection system are made:

(a) will residents be able to put out just the food waste kerbside caddy for collection when they have no garden waste?

(b) will arrangements be made for residents faced with difficulties such as steep drives or steps, terraced properties with no front gardens, or who are elderly or otherwise unable to manage a garden waste bin, to opt out of having a second wheeled bin and, if so, what mechanism does the Portfolio Holder envisage to allow this?

(c) will food waste wrapped in newspaper or biodegradable bags be acceptable in the caddy?

(d) will the Portfolio Holder consider using the stockpile of wheeled bins at North Weald Airfield for green waste, with a suitably painted lid, or label?"

Response read by Councillor Mrs M Sartin, Environment Portfolio Holder

"Cabinet, at its special meeting on 19 January 2009 approved the basic principles of the new service. There is much work yet to be done on the final arrangements. However, I shall endeavour to respond to the Member's questions, as at the current point in time.

(a) In all probability the answer will be yes. However, the contractor will only be able to collect either the new wheeled bin with commingled waste or the kerbside

caddy with kitchen waste only, not both. This is because the collection of additional containers adds time to the collection process, which will in turn increase the cost of the service.

(b) The situation with the second wheeled bin is no different than with the existing residual bin. There will be a presumption that residents will use the provided second wheeled bin for commingled waste. If properties are currently suitable for the residual wheeled bin they will be considered suitable for the second. As in the present system, residents with particular issues or difficulties will be assessed by the waste management officers and appropriate arrangements made where practical to do so, including for example assisted collections. It is important to recognise however, that under the new regime, the use of biodegradable sacks will cease completely.

(c) This cannot be answered at this stage, since the answer depends upon the nature of the in-vessel composting facility which Sita eventually use. Some are able to accept paper and special compostable sacks, and others are not. Information will be made available once Sita have made their decision on the facilities to be used for the commingled waste.

(d) The Council proposes to use standard coloured bins (i.e. the same as current residual bins) with different coloured lids for the new service. This will enable a speedier and cheaper procurement whilst providing flexibility between the containers for the residual and commingled waste service. Therefore, depending upon the size of bin selected and the stock at North Weald, it should be possible to make use of some of those in storage”.

(ii) Dry Battery Collection Scheme

By Councillor Mrs C Pond to Councillor Mrs M Sartin, Environment Portfolio Holder

“Has there been any progress in restarting the doorstep dry battery collection scheme?”

Response read by Councillor Mrs M Sartin, Environment Portfolio Holder

“The original battery collection scheme was undertaken as a trial under the auspices of WRAP (Waste & Resources Action Programme). Now that the new contract with Sita has settled, officers have been discussing with them the possibility of reinstating the collection of batteries alongside the existing dry recyclables. However, the key difficulty at the present time is to find an outlet which is able to take the collected batteries over an extended period of time. The present economic downturn and subsequent difficulties in the commodities markets, is making this difficult. I would assure the Member that officers will continue to keep this issue under review, and as soon as it is practical to put into place a viable collection scheme, I will bring forward proposals to Cabinet for consideration. In the meantime batteries can be taken for recycling to any of the County Council’s Household Waste Recycling Centres (Civic Amenity Sites).

115. REPORT OF THE CABINET - BUDGETS AND COUNCIL TAX DECLARATION 2009/10

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 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 matters which have been taken into account in preparing the budget including:

- (a) the “credit crunch” and reduced housing market activity;
- (b) taking forward Safer, Cleaner, Greener and Waste Management;
- (c) future provision of leisure facilities in Epping and Waltham Abbey;
- (d) pay disputes and utility costs;
- (e) need to obtain annual approval for capitalisation of pension deficit payments;
- (f) introduction of nationwide concessionary fares scheme; and
- (g) Customer Service Transformation Programme.

He advised that the revised budget guidelines reflecting the worsening economic climate, clearer costs on Leisure and Waste Management and slippage in the District Development Fund had been established as:

- (a) the ceiling for Continuing Services Budget net expenditure to be no more than £17.9M including net growth/savings;
- (b) the ceiling for District Development Fund net expenditure to be no more than £700,000;
- (c) the District Council Tax to be increased by no more than 2.5%.

Councillor Whitbread reported that the CSB total was £115,000 above the target of £17.9M. However, the Cabinet has decided that this was not significantly above the target and that a CSB total of £18.015M was acceptable.

Councillor Whitbread also reported that the DDF programme exceeded the target by £536,000. He advised that this excess was also considered to be acceptable by the Cabinet. He pointed out that all of the DDF items currently programmed to the end of 2012/13 could be funded from within existing DDF resources. Also recent experience had shown that there was usually a substantial slippage on the DDF.

Councillor Whitbread advised that the proposed increase in District Council Tax of 2.5% complied with the previously set target.

The Council was advised that the opening revenue reserve for 2009/10 would be just over £8M and although the estimates for 2009/10 showed a reduction of £704,000, reserves would still be above £7M. Councillor Whitbread drew attention to the

Medium Term Financial Strategy which showed deficit budgets for the three years 2009/10 to 2011/12. Members noted that the level of deficit peaked at £704,000 in 2009/10 and returned to breakeven in 2012/13 through CSB savings of £300,000 in 2010/11 and 2011/12 reducing to £250,000 in 2012/13.

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

By leave of the Council, Councillor Whitbread added the following recommendations to those set out in the report of the Cabinet:

“(13) That it be noted that the Portfolio Holder for Finance and Performance Management will be monitoring progress towards achieving the Council’s midterm budget strategy and will be holding regular informal meetings with Portfolio Holders and Service Directors with that in mind; and

(14) This Council deplores the excessive increase in NNDR in 2009/10 and asks the Chief Executive to write to the Government expressing our concerns and asking the Government to reconsider this increase.

Report as amended ADOPTED

RESOLVED:

Budget

- (1) That the list of CSB growth for the 2009/10 budget (set out in Annex 1) be approved;
- (2) That the list of District Development Fund items for the 2009/10 budget (set out in Annex 2) be approved;
- (3) That the revenue estimates for 2009/10 and the draft Capital Programme for 2009/10 be approved as set out in Annexes 3, 4 (a-k) 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 8 a and 8 b;
- (5) That the 2009/10 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 4% from £72.61 to £75.52, be approved.

Declaration of Council Tax

- (6) That it be noted that on 10 November 2008, the Finance and Performance Management Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee calculated the following amounts for the year 2009/10 in accordance with regulations made under Section 33(5) and 34(4) of the Local Government Finance Act 1992:
 - (a) 54,178.8 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)	54,178.8
Essex Police Authority	54,178.8
Essex Fire Authority	54,178.8
Epping Forest District Council (General Expenses)	54,178.8
Abbess, Beauchamp & Berners Roding	204.0
Buckhurst Hill	5,261.9
Chigwell	5,966.5
EppingTown	5,032.8
Epping Upland	410.2
Fyfield	413.4
High Ongar	556.0
Lambourne	932.9
Loughton Town	12,882.6
Matching	326.9
Moreton, Bobbingworth and The Lavers	660.1
Nazeing	2,094.8
North Weald Bassett	2,584.3
Ongar	2,747.7
Roydon	1,311.4
Sheering	1,361.7
Stanford Rivers	355.5
Stapleford Abbots	483.6
Stapleford Tawney	55.4
Theydon Bois	1,963.4
Theydon Garnon	66.0
Theydon Mount	110.4
Waltham Abbey Town	8,153.5
Willingale	243.8

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 2009/10 in accordance with sections 32 to 36 of the Local Government Finance Act 1992:

- (a) £109,197,341 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) £88,943,518 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) £20,253,823 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) £9,368,289 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) £200.92 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) £2,942,351 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £146.61 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 £
Abbess, Beauchamp & Berners Roding	171.12
Buckhurst Hill	215.86
Chigwell	181.87
Epping Town	226.09
Epping Upland	190.37
Fyfield	168.14
High Ongar	170.89
Lambourne	178.62
Loughton Town	195.33
Matching	173.59
Moreton, Bobbingworth and The Lavers	163.27
Nazeing	177.66
North Weald Bassett	193.15
Ongar	203.32
Roydon	168.15
Sheering	167.10
Stanford Rivers	175.30
Stapleford Abbots	159.94
Stapleford Tawney	170.78
Theydon Bois	184.67
Theydon Garnon	161.31
Theydon Mount	160.26
Waltham Abbey Town	238.40
Willingale	163.09

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 2009/10 the major precepting authorities have stated that the amounts shown in Annex 7 Part A 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 as the amounts of Council Tax for the year 2009/10 for each of the categories of dwellings shown;

(10) That the Council's policy of retaining revenue balances at no lower than £4.0M or 25% of the net budget requirement whichever is the higher for the four year period to 2011/12 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 2012/13;

(11) That the recommendations included in the report on the Prudential Indicators and the Treasury Management Strategy for 2009/10 (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 2009/10 budgets and the adequacy of the reserves (see Annex 10) be noted.

(13) That it be noted that the Portfolio Holder for Finance and Performance Management will be monitoring progress towards achieving the Council's midterm budget strategy and will be holding regular informal meetings with Portfolio Holders and Service Directors with that in mind;

(14) This Council deplores the excessive increase in NNDR in 2009/10 and asks the Chief Executive to write to the Government expressing our concerns and asking the Government to reconsider this increase.

116. REPORT OF THE CABINET - CALENDAR OF COUNCIL MEETINGS 2009/10

(Mover: Councillor Mrs D Collins, Leader of the Council)

The Leader of the Council submitted a report proposing a programme of meetings of the Council for the municipal year 2009/10.

Report as first moved ADOPTED

RESOLVED:

That the calendar of meetings for the period May 2009-May 2010 attached as Annex 11 to these minutes be adopted.

117. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - REVIEW OF CONTRACT STANDING ORDER C14 (PROVISIONS FOR THE APPOINTMENT OF CONSULTANTS)

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

Councillor Morgan submitted a report proposing changes to the arrangements for the recruitment of consultants.

Report as first moved ADOPTED

RESOLVED:

That the revised Contract Standing Order C14 as set out in Appendix 1 to the report of the Committee be approved.

118. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REVIEW OF CONTRACT STANDING ORDERS

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

Councillor Morgan submitted a report following an annual review of Contract Standing Orders to reflect changes in the law or operational matters regarding interpretation and good governance.

Report as first moved ADOPTED

RESOLVED:

(1) That Contract Standing Order CSO C1 be amended by the addition of a new sub-paragraph (13) as follows:

"(13) Chief Officers are required to ensure that, whichever procurement method is selected, they obtain the appropriate approval from a Portfolio Holder or the Cabinet in accordance with the value thresholds for contracts as set out in these Contract Standing Orders."

(2) That CSO C1 be amended by the addition of a new sub-paragraph (14) as follows:

"(14) The provisions of Contract Standing Orders relating to competitive quotations or tenders and use of the Essex Procurement Hub shall not apply to the procurement of goods or services from its own works organisations or equivalent unless in the opinion of the relevant Head of Service there are clear value for money reasons for doing otherwise."

and that the subsequent paragraphs of this Standing Order be re-numbered accordingly;

(3) That CSO C15 be amended by the addition of the following new sub-paragraphs to be numbered (1) and (7):

"(1) All specifications for the provision of goods and services by tender or quotation shall include a statement advising potential bidders that details of their tender may be published in the public agenda or minutes of the Council or may become available as a background paper or by means of Freedom of Information Act (FOI) request in response to which the Council would provide any information which is not covered by any of the Statutory Exemptions."

"(7) Specifications for tenders and quotations shall include a statement regarding the Council's policy of paying invoices within 20 days of receipt and a requirement for the following:

(a) the submission of a statement of the policies of tenderers regarding payment of sub contractors and suppliers and the timescales which apply to such payments; and

(b) a statement by the Council that the statement under (a) above will be taken into in the Council's assessment of all tenders and quotations."

and that the other paragraphs of this Standing Order be renumbered accordingly.

(4) That CSO C34 be amended by the addition of a new sub-paragraph (1) as follows:

"(1) Chief Officers are required to obtain, where possible, at least one quotation or tender from a business located in the Epping Forest District (including those with headquarters elsewhere) for any contract or official order being placed by the Authority, provided that in awarding the contract to a local business, the Council's duty to achieve value for money and to comply with legal duties and any other requirements of Contract Standing Orders is not compromised."

(5) That Contract Standing Order C32 be amended by paragraph (2) being substituted with the following revised wording:

"(2) The Director of Corporate Support Services may negotiate, agree terms and complete any lease, assignment, under letting, change of use or alterations to premises leased (irrespective of term) with a rental or premium not exceeding £25,000 per annum, subject to the exercise of this delegated authority being exercised:

(a) only up to a limit of £250,000 (or ten years) for any single transaction;

(b) after consultation with the relevant Portfolio Holder in the case of any transaction which involves a material change of use or conflicts with any other Council policy in order to determine whether a decision is to be made by the Director of Corporate Support Services, by the Portfolio Holder or by the Cabinet."

and that the effectiveness of these arrangements be reviewed after one year.

119. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REVIEW OF FINANCIAL REGULATIONS

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

Councillor Morgan submitted a report following an annual review of Financial Regulations to ensure that they complied with current legal requirements and achieved good governance of the Council's financial operations.

By leave of the Council, Councillor Morgan amended the recommendations of the Committee to omit the words "on a permanent basis".

Report as amended ADOPTED**RESOLVED:**

(1) That the limit for writing-off arrears and debts in respect of Housing Benefit, National Non-Domestic Rates (NNDR), Council Tax and Sundry Debtors under delegated authority by the Director of Finance and ICT be retained at £2,500; and

(2) That the limit for writing off arrears and debts in respect of housing rents by the Director of Housing be retained at £2,500.

120. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - CIVIC CEREMONIAL FUNCTION - REVIEW 2008 - CONSTITUTION ARTICLE 5 AND PROTOCOLS

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

Councillor Morgan submitted a report following a review of the Civic and Ceremonial function of the Authority taking account of views of past Chairmen of Council and practice in other local authorities.

Report as first moved ADOPTED**RESOLVED:**

(1) That the following protocols be incorporated into Article 5 of the Constitution, namely:

(i) the appointment of the Vice-Chairman of the Council; and

(ii) the role of the Chairman and Vice-Chairman; and

(2) That the revised Constitution Article 5 (attached as Annex 12 to these minutes) incorporating changes suggested by the review, be adopted.

121. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 - EXECUTIVE CONSTITUTION

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

Councillor Morgan submitted a report proposing a number of changes to the operation of the Executive and in particular the powers of the Leader of the Council.

Report as first moved ADOPTED**RESOLVED:**

(1) That the amendments to the following parts of the Constitution as set out in Appendices to the report of the Committee be approved:

Article 3 (Citizens and the Council) (Appendix 1)
Article 4 (The full Council) (Appendix 2)
Article 7 (The Executive) (Appendix 3)
Council Procedure Rules (Appendix 4)
Executive Procedure Rules (Appendix 5)
Scheme of Delegation (Appendix 6);

(2) That the following schedules which have been compiled by separating those matters which are to be approved by the Leader of the Council and those to be determined by the Council as set out in the Appendices to the report of the Committee be noted:

Delegation to Officers

- Appendix 7 – Leader Approval
- Appendix 8 – Council Approval

Outside Bodies

- Appendix 9 – Leader Approval
- Appendix 10 – Council Approval;

(3) That the Council's public statement regarding this review of the Council's executive arrangements as set out in Appendix 11 to the report of the Committee be approved;

(4) That the deadline for submission of questions by Councillors be amended to "seven days" from "seven working days" in Council Procedure Rule 10.3 (Appendix 4 to the report of the Committee);

(5) That the Local Councils' Liaison Committee, Victoria County History of Essex and the West Essex Area Forum be included in Appendix 10 to the report of the Committee;

(6) That the proposed changes to the Constitution be approved and authority for other minor and consequential amendments be delegated to the Assistant to the Chief Executive; and

(7) That the support of the Cabinet for this report be noted.

122. AUDIT AND GOVERNANCE COMMITTEE

The Council noted that at its last meeting, the Chairman and Vice-Chairman of the Audit and Governance Committee had been authorised to fill the vacancy on the Committee following the interview of applicants. Members noted that three applicants had been interviewed on 7 January 2009 by the Vice-Chairman of the Committee, Ms M Rickman (Independent Member) and Councillor Mrs A Haigh (Member of the Committee in place of the Chairman of the Committee who had been unwell at the time). Following the interviews, Mr Robert Thompson had been offered the position which he had accepted. The Council was informed that Mr Thompson had been a member of the Council's Independent Remuneration Panel but that as Government regulations prevented him from serving on both that Panel and the Audit and Governance Committee he had decided to resign from the Panel with effect from 7 February 2009. Steps were being taken to fill the vacancy on the Panel.

RESOLVED:

- (1) That the appointment of Mr R Thompson as an Independent Member of the Audit and Governance Committee with effect from 8 February 2009 be noted; and
- (2) That the decision of the Chairman of the Committee to appoint Councillor Mrs A Haigh to take his place at the interview of applicants as he was unwell at the time be noted.

123. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**(a) Epping Town Centre Partnership**

Councillor B Rolfe advised that the Secretary to the Partnership had resigned and that there had not been any meeting recently. He advised that the Partnership did not intend to invite the public to their meetings and that the main aim of the Partnership was to act as a forum for traders to secure benefits for the High Street.

(b) Ongar Town Forum – Steering Group

Councillor D Jacobs reported that the Forum was made up of local business people, shopkeepers, publicans, and residents who had the best interests of Ongar at heart. The Forum met every eight weeks or so and in the interim smaller sub-committees met to progress individual projects. The Forum had taken responsibility for the High Street Christmas lights for several years and had established its own newspaper, the Ongar News. The publication was now self-financing from advertising and approximately 1,000 copies were produced each month. The Forum had taken up several local issues including car park lighting, parking costs, local policing and a "say no to plastic bags" campaign. The Forum had also taken over the running of the Wednesday market. Councillor Jacobs advised that the Forum advertised its Annual General Meeting through various media.

(c) Buckhurst Hill Town Centre Partnership

Councillor Mrs L Wagland advised that she had attended three meetings of the Partnership. The Partnership had worked hard on a number of local issues including CCTV, a direct emergency telephone contact with the Police, the parking review and the speed of traffic in Queens Road. She advised that she was not sure of the

constitutional position in relation to annual meetings but she would endeavour to clarify the position.

(d) Waltham Abbey Town Partnership

Councillor Mrs R Gadsby advised that the Partnership's Constitution had been approved by Council officers and was constantly monitored. The accounts were audited and the Partnership involved the whole town. Working breakfasts were held with local businesses on a quarterly basis.

(e) Loughton Broadway Town Centre Partnership

Councillor K Angold-Stephens reported that the Partnership was working well and the main topic under consideration at present was the Enhancement Scheme. He advised that the Partnership had an open door policy but he was not sure of the constitutional position in relation to annual meetings.

(f) Loughton High Road Town Centre Partnership

Councillor R Barrett reported that it had been difficult to get representatives of traders or residents present at meetings but attempts continued to be made.

(g) Ongar Leisure Centre Liaison Group

Councillor G Pritchard advised that this Group provided a vital link between customers and management to enable a two-way communication. As the Group were also users of the Leisure Centre it provided an additional means of raising small details which might otherwise be overlooked or not considered via other means of feedback. The Group had encouraged staff and given valuable advice on energy saving measures that could be taken. He advised that the Group currently was encouraging more young people to become involved and to express their ideas.

124. CALL -IN AND URGENCY - GYPSIES AND TRAVELLERS CONSULTATION ON OPTIONS

Members noted that the Cabinet had decided to extend the consultation period and had also considered the decision to be an urgent matter and therefore not subject to call-in. The Chairman of Council had subsequently agreed that the decision was reasonable in all the circumstances, should be treated as a matter of urgency and should not be subject to call-in.

RESOLVED:

That the agreement of the Chairman of Council that the decision of the Cabinet to extend the consultation period until 5 pm on 20 February 2009 was reasonable in all the circumstances, should be treated as a matter of urgency and should not be subject to call-in be noted.

CHAIRMAN