

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 28 April 2009
Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.35 pm

Members Present: Councillors J Knapman (Chairman), K Angold-Stephens, 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, Mrs A Cooper, D Dodeja, R Frankel, Mrs R Gadsby, P Gode, A Green, Mrs A Grigg, Mrs H Harding, J Hart, Ms J Hedges, D Jacobs, Mrs J Lea, J Markham, Mrs M McEwen, G Mohindra, R Morgan, S Murray, Mrs C Pond, G Pritchard, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, P Turpin, H Ulkun, Mrs L Wagland, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors R Barrett, Mrs A Haigh, R Law, J Philip, W Pryor and A Watts

Officers Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director Democratic Services), S G Hill (Senior Democratic Services Officer), P Seager (Chairmans Secretary) and T Carne (Public Relations and Marketing Officer)

125. WEBCASTING INTRODUCTION

Councillor J Knapman reminded 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.

126. FORMER DISTRICT COUNCILLOR HOWARD KLEYN

It was with much sadness that the Chairman informed the Council of the death of former District Councillor Howard Kleyn who had represented the Loughton Forest Ward of the District Council for four years, between 1984 and 1988. The Council noted that he had also been an Essex County Councillor representing the Loughton St Mary's Division for four years between 1981 and 1985.

Councillor Caroline Pond paid tribute to the work of Howard Kleyn in his capacities as County and District Councillor, pointing out that he was the first Loughton Residents' Association member elected to the County Council. Councillor Stephen Murray also paid tribute to Howard Kleyn's work as a colleague Loughton Councillor.

The Council expressed their condolences to the family of Howard Kleyn and all present stood for a minute's silence in tribute to former Councillor Kelyn's memory.

127. MINUTES

RESOLVED:

That, subject to the heading of minute 112(j) being amended to read "Essex Savers' Union" the minutes of the Council meeting held on 17 February 2009 be taken as read and signed by the Chairman as a correct record.

128. DECLARATIONS OF INTEREST

The Chairman informed the Council that in relation to item 5(c) (Re-accreditation for Quality Parish Status) of tonight's agenda, all District Councillors who also served on Parish and Town Councils in the District were declaring personal interests in that item, namely: Councillors D Dodeja, P Spencer, K Chana, J Knapman, B Sandler, Mrs L Wagland, G Mohindra, Mrs J Hedges, Mrs P Smith, K Angold-Stephens, Ms R Brookes, D Wixley, Mrs C Pond, S Murray, Mrs P Richardson, R Morgan, A Boyce, Mrs A Cooper, Mrs A Grigg, D Stallan, P Gode, Mrs D Collins, Ms S-A Stavrou, Mrs E Webster, Mrs P Brooks, Mrs R Gadsby, J Collier.

129. ANNOUNCEMENTS

(a) Announcements by the Chairman of Council

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

- (a) Civic Awards Evening;
- (b) North Weald Airfield – Gate Guardian Dedication;
- (c) Re-dedication of Epping War Memorial;
- (d) Green Scouts Parade at Windsor Castle

The Chairman also indicated that he was very grateful to the Vice Chairman of the Council for deputising him at the Annual Civic Dinner at Southend Borough Council on 7 April 2009 and to Councillor M Sartin who had represented him at a recent memorial service for the late Councillor Bill Easton on 25 April 2009.

The Chairman also stated that he would be taking part in a charity abseil off the Water Tower in High Street, Epping on 2 May 2009 and was still seeking further sponsors in support of St Clare's Hospice.

The Chairman also announced that former Councillor Ann Miller was retiring as Chairman of Governors of West Hatch School, Chigwell. He read out a letter which he had sent on behalf of the Council congratulating her on her period of office. He informed the Council that he intended to send the flowers from this evening's meeting to Mrs Miller in order to reflect the thanks of the District for her work at the School.

(b) Announcements by the Leader of the Council and Other Cabinet Members

There were no announcements made by Cabinet Members.

(c) Quality Parish Status – Re-Accreditation of Chigwell Parish Council, Loughton Town Council and Waltham Abbey Town Council

Canon John Brown, the Chairman of the Essex County Accreditation Panel, was invited by the Chairman to address the meeting on the recent process of re-accrediting these three Parish and Town Councils for quality status.

Canon Brown was then invited to present the Certificates of Re-Accreditation to the member and officer representatives from the three Parish and Town Councils.

The meeting thanked all those who had attended and congratulated the three Parish Councils on their achievements.

130. PUBLIC QUESTIONS (IF ANY)

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

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

The Council received reports from the Leader of the Council, the Chairman of the Overview and Scrutiny Committee, and each Cabinet Portfolio Holder.

(a) Leader of the Council

Councillor Mrs Collins stated that she had had a further meeting with Essex County Council in March regarding educational provision in the District and in particular their assumption of responsibility for Epping Forest College by Essex County Council in 2010. She stated that this Council's role was one of assisting in promoting educational standards and provision within the District. She stated that she had had some success in achieving access to Governing Body meetings of the College and it was likely that the Authority would be invited to nominate an observer to attend in future.

She stated that she had visited The Broadway to view the Town Centre Enhancement Scheme, Loughton with the Portfolio Holder for Planning and Economic Development and had met with the Town Centre Partnership Chairman and various other traders. She expressed the view that works were proceeding well and there appeared to be good collaboration between all parties.

She was continuing to work with the Portfolio Holder on the Waste Management Board so as to ensure that new arrangements for refuse collection and recycling, particularly for kitchen waste collection, were introduced smoothly in September 2009.

(b) Housing

The Portfolio Holder, Councillor D Stallan, updated his written report by informing the Council that the Government had recently announced its intention to reduce guideline rents and was now consulting local authorities. The Portfolio Holder stated that he welcomed a further reduction in rent but, in terms of the budget process, the timing had not proved to be very helpful.

(c) Environment

Councillor Mrs Sartin reminded the Council that weekly residual waste collections would be starting on the weekend of 5 May 2009 and would operate until September 2009 when the reorganised service would be introduced.

132. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Epping Forest College

Councillor S Murray asked for an assurance that the Council would be notified of the date of the Annual General Meeting of the College Governing Body so as to ensure that this Council could secure full involvement. He also asked what would be the status of District and Council Councillors in the new Governing Body. The Leader of Council replied that she would ensure that details of the AGM were circulated but insofar as involvement by District and County Councillors were concerned, there were no current arrangements for those representatives to have full membership of the Governing Body although observer status was being investigated.

(b) The Broadway, Loughton

Councillor Mrs P Richardson asked the Portfolio Holder for Community Wellbeing whether there was any news from the Primary Care Trust concerning the establishment of a “walk-in” health facility in The Broadway for elderly and infirm people without necessitating call-outs by Health Service staff.

The Portfolio Holder and the Leader of Council indicated that the District Council had limited control over such matters but pointed out that Loughton Hall Surgery could undertake a wide variety of treatments on a local basis and it was therefore unlikely that the PCT would seek to open another facility in The Broadway very close by. However, the Leader of Council undertook to follow-up with the PCT as to progress with local facilities.

(c) Street Cleansing

Councillor Mrs J Whitehouse asked the Portfolio Holder for Environment whether it would be possible to ask the contractor to review street cleansing arrangements to take account of changes in parking restrictions in local streets so that these could be cleaned on a more regular basis when clear of cars.

The Portfolio Holder indicated that she would be willing to discuss this with Sita through the Council’s Consultants and would ensure that a schedule of cleansing would be published when the new scheme was operating.

(d) Planning Services – Vacant Post

Councillor R Frankel asked the Portfolio Holder for Corporate Support Services whether he would be able to take any action which would ensure that vacancies in Planning and Economic Development Directorate could be filled more quickly.

The Portfolio Holder replied that the situation was currently a very difficult one as posts were being advertised and very few applications received. He gave an assurance that every effort should be made to fill those posts. By the same token, he commented that if a post remained vacant for an excessive period, then there had to be a review of whether the post should be deleted from the establishment. He indicated that part of the problem was in relation to officers who were simply unfit for

work for medical reasons. Those posts could not be filled until those issues had been resolved.

(e) Sustainable Communities Act

Councillor K Angold-Stephens asked the Leader of Council whether any plans were in existence to submit proposals for Government funding as part of the wellbeing provisions in the Sustainable Communities Act. He pointed out that his reading of the Act indicated that any proposal would require detailed consultation with local residents and that the deadline for submission of proposals was July 2009.

The Leader of Council commented that she was supportive of any proposal of this kind and that the Council was already working with the Local Government Association, who was involved in the submission of sustainability projects. She agreed that she would look into these issues.

(f) Epping Parking Review

Councillor J A Whitehouse thanked the Portfolio Holder for Civil Engineering for his recent update on the position concerning the Parking Review in Epping. He asked, however, whether the Portfolio Holder had confidence in the revised date set for completion and when the various proposals being discussed would be shared with other members of the Council.

The Portfolio Holder replied by saying that he had been very frustrated with some of the responses he had received from Essex Highways regarding this review and had met with Highways staff today. He stated that a consultation document would be circulated by Essex County Council to all residents in early June with a period for responses end at 31 July 2009.

He went on to say that a similar process was being adopted in Buckhurst Hill and that, as part of these consultations, additional displays at key locations was being discussed. He hoped to be publishing a full timetable for these reviews later in the week.

(g) Waste Management Contract

Councillor Mrs C Pond asked the Portfolio Holder whether it was intended to consult all Members of the Council about publicity material relating to the new Waste Management Service which was being introduced later in the year.

The Portfolio Holder replied that she planned to consult the relevant Scrutiny Panel on this matter and reminded the Council that all Members were able to attend those meetings. She pointed out that she intended that the publicity material would be issued on a step-by-step basis.

The Leader of Council commented that it was up to all Members to attend the Scrutiny Panel and that, in any event, full details of all the arrangements would be published in the Forester, on the website and in the Members' Bulletin.

(h) Centric Parade, Loughton

Councillor Mrs C Pond asked the Portfolio Holder for Planning and Economic Development whether she was right in thinking that the survey of underground services in Centric Parade, Loughton had been completed some time ago.

The Portfolio Holder replied by saying that her report was referring to the District Council radar check on underground services undertaken in the hope of moving the scheme forward. The Council had now been advised by Essex County Council that this did not meet its requirements and that it had now asked the public utilities for up-to-date plans to clarify the position.

(i) Swine Flu

Councillor P Turpin asked the Portfolio Holder for Community Wellbeing whether action was being taken to publicise the risk of a major outbreak of Swine Flu in the United Kingdom.

The Portfolio Holder replied by reassuring the Council that the Emergency Planning Team were very experienced in dealing with these kinds of situations and were holding regular meetings with external agencies to ensure that the supply of information via the Members' Bulletin and the website was kept up-to-date. He drew the Council's attention to the fact that the local PCT had established a telephone helpline to deal with any fears among the community.

(j) Ninefields Estate, Waltham Abbey – Public Utility Charges

Councillor Wyatt referred to work being undertaken by Council members and officers with regard to the over-charging of residents for public utilities in the Ninefields Estate. He stated that he and his colleague ward councillor, Councillor E Webster, had not received a single complaint about the Council's response and indeed a great deal of praise. However, he wished to ask the Portfolio Holder what progress had been achieved to prompt the public utilities, who had been slow in responding to the situation, to play their part.

The Portfolio Holder thanked Councillor Wyatt for his comments and confirmed that work was in hand to bring public utility companies to the table. The Council had also been in touch with National Grid regarding the problem and he understood that one public utility had now taken action to remove the relevant meter and make refunds.

The Portfolio Holder commented that this set a useful precedent for dealing with the other utilities who seemed to be slow in responding.

(k) Free Travel Permits

Councillor Mrs J Whitehouse stated that she had been approached by local residents who had formed the impression that free bus travel would be restricted to journeys of 15 miles or less. She asked the Portfolio Holder for Civil Engineering whether he is prepared to make representations regarding this policy as some residents she had spoken to wished to travel to Chelmsford which was beyond the 15 mile limit, bearing in mind that in a rural area, the limit of 15 miles seemed very unhelpful.

The Portfolio Holder for Civil Engineering stated that he had heard rumours that the Government was carrying out a review of the funding of the Free Travel Scheme because the cost had turned out to be higher than anticipated. However, he had no definite information and undertook to investigate the matter further and report back.

(l) Marine Georgie Sparks - Commemoration

Councillor Mrs S Clapp asked the Leader of Council whether it was intended that the District Council would commemorate the heroic sacrifice of Marine Sparks who had lost his life in Afghanistan.

By leave of the Council, the Chairman of Council pointed out that there had been a special medal struck for presentation to the family at the Civic Awards Evening which had recognised the loss of life of an heroic soldier.

The Leader of the Council commented that there had already been two major parades through High Street, Epping which had involved the Marine Regiment and noted that a great many local people had attended. St John's Church, Epping had been full during a memorial service to mark his sacrifice.

133. MOTIONS

(a) The Broadway, Loughton – Shop Traders

Moved by Councillor Mrs Rose Brookes and seconded by Councillor S Murray:

“That this Council:

(a) notes the trading difficulties currently being experienced by the shop traders at The Broadway, Loughton due, firstly, to the effect of necessary works being carried out to improve the infrastructure and, secondly, the exceptional challenges of the current economic climate;

(b) recognises that the Leader and Portfolio Holder have tried to support the traders through a difficult time; and

(c) asks the Cabinet to introduce an ex gratia payment of one quarter of the rent due between 1 January to 30 June 2009 to the retailers on The Broadway so as to ensure that The Broadway can continue as a vibrant retail centre for the area and to note the consequent loss of income to the Council”.

(b) Amendment

Moved by Councillor D Stallan and seconded by Councillor G Mohindra:

“That the motion be amended by deleting paragraph (c) and substituting the following new sub paragraphs:

(c) agrees that the Cabinet look at a rent deferment scheme for Council tenants in the shops in The Broadway to the value of eight weeks' rent during the period until the Town Centre Enhancement Scheme is completed with the deferred rent being paid back within the following nine months;

(d) ask the Cabinet to review these arrangements after six months;

(e) notes that any tenants already in difficulties are able to pay their rent monthly on application to the Council; and

(f) asks the Cabinet at its next meeting to look at the possibilities for helping all the Council's tenants in shops and commercial premises during the recession”.

The mover and seconder of the original motion stated that they were prepared to accept the amendment and the amendment was thereupon **Carried**.

RESOLVED:

That this Council:

- (a) notes the trading difficulties currently being experienced by the shop traders at The Broadway, Loughton due firstly to the effect of necessary works being carried out to improve the infrastructure and secondly, the exceptional challenges of the current climate;
- (b) recognises that the Leader and Portfolio Holder have tried to support the traders through a difficult time;
- (c) agrees that the Cabinet look at a rent deferment scheme for Council tenants in the shops in The Broadway to the value of eight weeks' rent during the period until the Town Centre Enhancement Scheme is completed, with the deferred rent being paid back within the following nine months;
- (d) asks the Cabinet to review these arrangements after six months;
- (e) notes that any tenants already in difficulties are able to pay their rent monthly on application to the Council; and
- (f) asks the Cabinet at its next meeting to look at the possibilities for helping all the Council's tenants in shops and commercial premises during the recession.

(c) Royal Mail – Motion of Ryedale District Council

The Council gave consideration to a motion adopted on 12 March 2009 by Ryedale District Council, North Yorkshire on which that Council had written to all other local authorities seeking support:

“The importance of a universal postal service is beyond question. Six day delivery is vital and the role of local post offices is key to community cohesion through Ryedale. These will only be possible by having a wholly public owned mail service.

So as to support the above, this Council resolves to:

- (a) call upon Her Majesty's Government to stick to its election promise and:
 - (i) keep the Royal Mail in 100% public ownership; and
 - (ii) return the profitable parts of the service to the Royal Mail
- (b) call upon the Local Government Association to support this motion;
- (c) circulate this motion to all other local authorities asking for their support; and
- (d) write to the MP for Ryedale asking him to oppose the part privatisation of the Royal Mail.”

The Council was asked whether it wished to support these aims and, if so, it was suggested that suitable representations be made to the local Members of Parliament. The Ryedale motion was moved by Councillor S Murray and seconded by Councillor D Bateman.

The motion having been moved and seconded, questions from other members of the Council were raised concerning the validity of this motion for Council debate, no formal notice having been given. In view of this, the mover and seconder signified their wish to withdraw their proposal and the Chairman therefore ruled under Council Procedure Rule 13.8 that the matter should not be further considered.

134. QUESTIONS BY MEMBERS UNDER NOTICE

(a) Waste Service Strategy – by Councillor D Jacobs to Councillor Mrs D Collins, Leader of the Council

Question:

“The County Council has offered funding (both revenue and capital) to Waste Collection Authorities in order to achieve high recycling (including food waste) required by the strategy. The offers of funding were made by the County Council on a number of criteria including value for money, recycling performance improvements and strategy compatibility. It can be seen from the table below that revenue funding per head of population varies from £3.66 in the Epping Forest District (the lowest) to £7.32 (double) in Chelmsford and £7.44 in Harlow (the highest). On a pro rata basis, Epping Forest District would achieve another £200 per annum. In the circumstances, does this administration feel that the District has been treated equitably given that these allocations (being revenue) would be repeated on an annual basis?”

Est, pop.	Collection Authority	Funding Allocation	Pro Rata (head pop)	Funding per head £	Recycling Rate 2007/08
169,900	Basildon	832 (000)	896 (000)	4.90	32.23
142,400	Braintree	600	751	4.21	42.79
71,300	Brentwood	379	376	5.32	41.20
88,800	Castle Point	550	468	6.19	27.07
164,000	Chelmsford	1200	865	7.32	35.37
123,000	Epping Forest	450	648	3.66	41.67
78,000	Harlow	580	411	7.44	23.88
62,700	Maldon	330	330	5.26	34.89
81,200	Rochford	390	428	4.80	19.39
147,700	Tendring	575	779	3.89	26.90
71,000	Uttlesford	440	374	6.20	54.26
	Colchester	Not yet allocated			
1,200,000		6,326	6,326	5.27 av	34.52 av

Reply by Councillor Mrs D Collins, Leader of the Council:

“The allocation of resources from the County Council to the Waste Collection Authorities (WCA) was never intended, nor expected to be, on a simple pro rata basis. Each WCA put forward its own bid based upon what that WCA intended to do and what resources it believed it needed from the County Council to support it in that endeavour. Therefore, each and every bid was different and each was confidential between the applying WCA and the County Council.

Having said that, I would agree that there appear to be some inconsistencies in the allocation of resources, in particular with respect to the manner in which the County Council has applied its bidding rules in respect of service delivery savings and overall value for money in terms of recycling performance increases. Councillor Mrs Sartin has recently written to the County Cabinet Member with responsibility for waste matters, Councillor Mrs Tracey Chapman, expressing my concerns not so much at the financial outcome for this Council but more, as the question suggests, about whether the process has been fairly managed across the County as a whole. I will share her response with members of the Council, through the Council Bulletin, once it has been received.

In the meantime, we are pressing on with signing the inter-authority agreement in accordance with the Cabinet decision in March 2009 so that we can access the resources which the County Council has allocated to us and purchase the vehicles and containers required to commence the new food waste collection service in September of this year.”

Supplementary question by Councillor Jacobs:

“Noting that Leader of Council accepts that matters are not quite right in this regard, does she accept the need to press the case for the interests of this District?”

Further reply by Councillor Mrs D Collins, Leader of the Council:

“Yes”.

135. REPORT OF THE CABINET - ESSEX LOCALISM INITIATIVE - LOCAL HIGHWAYS PANEL

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

(Mover: Councillor P Bassett, Civil Engineering Portfolio Holder)

The Portfolio Holder reported on the establishment of a new Highways Panel in connection with the Essex Localism Initiative of Essex County Council.

The recommendations of the Cabinet having been adopted it was:

RESOLVED:

- (1) That a Highways Panel be established from the commencement of the 2009/10 Municipal Year;
- (2) That officers be authorised to draw up a constitution for the Panel based on the principles set out in the Essex County Council’s Localism Manual;
- (3) That eleven District Council Members be appointed to the Panel in accordance with pro rata rules at the Annual Council meeting in May 2009;
- (4) That officers be authorised to make the necessary consequential changes to the Constitution; and

- (5) That the structure and operation of the Panel be reviewed in 12 months time.

136. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATES

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited Councillor D Stallan, Housing Portfolio Holder to present recommendation (1) of this report and Councillor C Whitbread, Portfolio Holder for Finance and Performance Management to present recommendation (2) of this report.

(Mover: Councillor D Stallan, Housing Portfolio Holder)

The Portfolio Holder presented recommendation (1) of the Cabinet report regarding additional funding from the Major Repairs Reserve Fund in order to clear a backlog of disabled adaptations to Council properties.

Adopted

RESOLVED:

- (1) That a supplementary capital sum of £200,000, funded from the Major Repairs Reserve, be approved in order to clear the backlog of disabled adaptations to Council properties.

Thereupon, Councillor C Whitbread presented recommendation (2) of the report regarding additional funding for the purchase of six vehicles for use by the Grounds Maintenance Section.

Adopted

RESOLVED:

- (2) That a supplementary capital estimate in the sum of £154,000 be approved for the purchase of six Ford Transit LWB double chassis cabs 2.4 TDCI for the Grounds Maintenance Section.

137. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - ANNUAL REPORT 2008/09

Councillor R Morgan, Chairman of the Overview and Scrutiny Committee, presented the Annual Report of Overview and Scrutiny detailing the activities of the Committee and its various Standing and Task and Finish Panels.

RESOLVED:

That the annual report be received and the work undertaken by the Overview and Scrutiny Committee, the Scrutiny Standing Panels and the Task and Finish Panels, during the past Municipal Year be commended.

138. REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE - OFFICER DELEGATION

Councillor R Morgan, Chairman of the Overview and Scrutiny Committee, presented a report on the Annual Review of Officer Delegation for 2008/9. By leave of the Council, he withdrew recommendation (1) of the report insofar as it related to item (b) of the appendix to the Committee's report (Objections by Parish and Town Councillors – Delegation Reference P4).

The recommendations of the Overview and Scrutiny Committee, subject to the withdrawal of item (b) of the appendix to the report having been adopted, it was:

RESOLVED:

(1) That the proposed changes to officer delegation recommended in Appendix 1 to these minutes, with the exception of item (b) (Objections by Parish and Town Councils – Delegation Reference P4), be approved;

(2) That the Assistant to the Chief Executive incorporate within the final versions of officer delegation minor drafting changes including topographical corrections, changes in officer deletions as a result of Senior Management Review and any changes in legislation which have occurred since the last review took place; and

(3) That in relation to the changes to officer delegations in respect of Cabinet functions, it be noted that these will be submitted to the Leader of Council for approval, incorporated in the Constitution and reported at the Annual Council meeting.

During the course of this debate, Councillor Mrs J Whitehouse queried paragraph 2 of item (1) of the appendix to the report (Development Control – Local Councils and Member Requests for Reference of Planning Applications to Area Plans Sub-Committees) in relation to the timescale for making such requests. The Chairman of Council, having taken advice, confirmed that the timescale in question would run from the date on which the list of planning applications received was notified to members.

139. REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE - ANNUAL REPORT 2008/09

The Chairman of the Council, who was also the Chairman of the Audit and Governance Committee, presented the second Annual Report of the Committee on its activities during the past Council year.

In presenting the report, he paid tribute to the work of Mr J Akerman, Chief Internal Auditor, who had left full time employment with the Council recently. The Council noted that Mr Akerman was continuing to work on a part time, temporary basis with the Internal Audit Team until his successor was appointed.

RESOLVED:

That the Annual Report 2008/9 of the Audit and Governance Committee be received.

140. FORMER COUNCILLOR J DEMETRIOU

The Chief Executive reported that, on 16 March 2009, Councillor J Demetriou had given notice of resignation from the office of District Councillor for the Waltham Abbey, Honey Lane Ward of the District. The Council noted that his normal term of office would have expired in May 2010. Notice of the vacancy had been given and if a request for an election were received by 28 April 2009, signed by two electors in the District requesting an election to fill the casual vacancy, an election will be held at the same time as the European Parliamentary and County Council elections on 4 June 2009.

RESOLVED:

That the position be noted.

141. PLANNING APPEAL- AWARD OF COSTS - WANSFELL COLLEGE, PIERCING HILL, THEYDON BOIS

The Council noted that, at its meeting on 26 June 2008, approval had been given to a Revenue District Development Fund Supplementary Estimate for 2008/9 in a sum to be confirmed so as to cover the costs awarded against the Council following a planning appeal in relation to the Development at Wansfell College, Theydon Bois.

The Council noted that the final amount of costs paid was £41,942.51.

RESOLVED:

That the final costs payable by the Council be noted as reported at the meeting.

142. CALL-IN AND URGENCY - CLEAR RECYCLING SACKS

Councillor Mrs M Sartin, Environment Portfolio Holder, reported regarding urgent action to purchase clear recycling sacks outside the Essex Procurement Hub as a matter of urgency and by means of waiving the call-in.

The Council noted that the Environment Portfolio Holder had made a decision to ensure the continued availability of garden waste and dry recycling sacks at the commencement of the 2009/10 financial year. The decision became effective on 27 February 2009 and authorised the procurement of:

(a) 600,000 garden waste sacks at an approximate cost of £86,500 and the setting aside of contract standing orders to enable the purchase of these sacks outside the auspices of the Essex Procurement Hub; and

(b) 900,000 dry recycling sacks at an approximate cost of £32,500, through the auspices of the Essex Procurement Hub.

The Council was advised that in respect of the acquisition of dry recycling sacks, it had become clear that there would be a significant delay in obtaining the sacks with the risk that they would not be available for the commencement of the new financial year if the Essex Procurement Hub was used for this purpose. As a result, 250,000 sacks were ordered from Imperial Polythene, a current supplier of bio-degradable garden sacks. This action did not comply with the original Portfolio Holder decision and contract standing orders. The Environment Portfolio Holder ratified the action taken by officers and obtained the approval of the Chairman of the Council that the

decisions were reasonable in all the circumstances and should be treated as a matter of urgency.

RESOLVED:

That the action of the Chairman of the Council in agreeing that decisions of the Environment Portfolio Holder regarding the purchase of clear recycling sacks outside the Essex Procurement Hub be treated as a matter of urgency and not subject to call-in be noted.

143. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Stansted Airport Consultative Committee

Councillor Mrs M Sartin, the Council's representative on the Consultative Committee drew the Council's attention to a recent change in Chairmanship of the Consultative Committee which has resulted in the production of a discussion document regarding new ways of organising the Committee's affairs. In particular, there was a new proposal to increase the number of Sub-Committees from 2 to 3 with existing work being reorganised between them. The 3 new panels would deal with customer issues, environmental issues and corporate affairs.

She also reported that there were proposals to change the basis of local authority representation on the Committee making each appointment stand for a four year period rather than an annual reappointment as at present. She indicated that she would be largely supportive of many of the proposed changes but expressed concern about another series of options which had been published on whether the Committee should continue to meet in public or in private or by excluding the public from items of confidential business.

She favoured a situation where most business of the Consultative Committee should be conducted in public with matters such as security issues being reserved for private session as is the practice in this Council. In the ensuing comments, several members of the Council expressed support for this general approach.

Councillor Mrs Sartin stressed that these changes were not imminent and that she would be continuing to use her best judgement as to what the Council's policy should be in regard to the proposed changes. If necessary she would report back in detail.

RESOLVED:

That the current position be noted.

144. LOCAL GOVERNMENT ASSOCIATION ANNUAL CONFERENCE AND EXHIBITION 2009

The Council noted that the Local Government Association Annual Conference and Exhibition would be held at the Harrogate International Centre from 30 June until 2 July 2009.

The Council noted that the cost for each delegate would be £519 plus VAT.

RESOLVED:

That the Chairman of the Council for 2009/10 be appointed to attend the Conference and Exhibition as delegate of this authority.

CHAIRMAN

CHAIRMAN

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WORKING GROUP ON CONTRACT STANDING ORDERS, FINANCIAL REGULATIONS AND OFFICER DELEGATION

SCHEDULE OF DELEGATION REVIEWS – COUNCIL

1. Development Control (Delegation Reference P4 (g) and (h).)

(a) Local Councils and Members' Requests for Reference of Planning Applications to Area Plans Sub Committees

1. This delegation relates to planning applications which would normally be dealt with under delegated authority but which under certain circumstances can be referred to an Area Plans Sub Committee.

2. Items (g) and (h) of P4 was amended last year to require that member requests for applications to be referred to Area Plans Sub Committees should be subject to a deadline of 4 weeks from the date of receipt of the relevant Council Bulletin list. This was to avoid such requests being received shortly before Sub Committee meetings resulting in the item having to be deferred to a later meeting with an adverse effect on the Council's performance against the eight week BVPI target.

3. A similar change was made in respect of representations by local councils whereby such comments would only result in reference to a Sub Committee if the views expressed related to material planning considerations.

Planning Comments:

4. The net effect of these changes, together with the change to the 3 weeks Area Plans Sub cycle has resulted in 36 more cases being determined within the 8 week period.

Recommendation:

To confirm the changes to P4(g) and (h).

(b) Objections by Parish and Town Councils (Delegation Reference P4)

ITEM WITHDRAWN

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