

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 29 September 2009

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.30 pm

Members Present: Councillors Mrs P Smith (Chairman), Mrs A Grigg (Vice-Chairman), K Angold-Stephens, R Barrett, R Bassett, A Boyce, Mrs R Brookes, Mrs P Brooks, K Chana, A Clark, 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 Haigh, J Hart, Ms J Hedges, D Jacobs, J Knapman, R Law, Mrs J Lea, Mrs M McEwen, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, Mrs P Richardson, B Rolfe, B Sandler, Mrs M Sartin, P Spencer, D Stallan, Ms S Stavrou, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland, A Watts, C Whitbread, Mrs J H Whitehouse, J M Whitehouse and D Wixley

Apologies: Councillors Mrs S Clapp, M Cohen, J Markham, G Pritchard, W Pryor, P Turpin, Mrs E Webster and J Wyatt

Officers Present: P Haywood (Chief Executive), D Macnab (Deputy Chief Executive), R Palmer (Director of Finance and ICT), I Willett (Assistant to the Chief Executive), G Lunnun (Assistant Director (Democratic Services)), S G Hill (Senior Democratic Services Officer), P Seager (Chairman's Secretary) and T Carne (Public Relations and Marketing Officer)

63. WEBCASTING INTRODUCTION

Mr Willett, Assistant to the Chief Executive, reminded all present that the meeting would be broadcast live on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

64. COUNCILLOR D BATEMAN

Councillors Mrs D Collins, J M Whitehouse, S Murray, J Knapman, Mrs P Richardson, Mrs C Pond and the Chairman of the Council paid tribute to the past service to the Council and the community of the late Councillor David Bateman.

In recognition of Councillor Bateman's service to the Council of just over 15 years the Chairman presented his widow Sandra Bateman and his son David Bateman with a long service medal.

Sandra Bateman thanked the Council for the medal and for the kind comments made by members.

65. MINUTES

RESOLVED:

That the minutes of the Council meetings held on 28 July and 17 August 2009 be taken as read and signed by the Chairman as correct records subject to

Councillor J Philip's apologies for absence being recorded in the minutes for the meeting held on 17 August 2009.

66. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs D Collins declared a personal interest in agenda item 12A (Report of the Cabinet – Epping Forest College, Loughton – Release of Right of Pre-emption) by virtue of being a full member of the Corporation Board of Epping Forest College. The Councillor advised that she had determined that her interest was prejudicial and that she would leave the meeting for the consideration and voting on that matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor A Clark declared a personal interest in agenda items 11 (Report of the Cabinet – The Broadway, Loughton – Financial Assistance for Traders) and 13 (Statutory Statement of Accounts 2009/10). The Councillor advised that he had determined that his interest was prejudicial and that he would leave the meeting for the consideration and voting on those matters.

(c) Pursuant to the Council's Code of Member Conduct, Councillor J Collier declared a personal interest in agenda items 11 (Report of the Cabinet – The Broadway, Loughton – Financial Assistance for Traders) and 13 (Statutory Statement of Accounts 2009/10). The Councillor advised that he had determined that his interest was prejudicial and that he would leave the meeting for the consideration and voting on those matters.

(d) Pursuant to the Council's Code of Member Conduct, Councillor J Knapman declared a personal interest in agenda item 11 (Report of the Cabinet – The Broadway, Loughton – Financial Assistance for Traders) by virtue of being the County Councillor for the Chigwell and Loughton Broadway Division within which The Broadway was situated. The Councillor advised that he had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration and voting on that matter.

67. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

The Chairman, Councillor Mrs P Smith, reported on her attendance at recent activities which included:

- (a) Scout Conservation Project in Epping Forest;
- (b) Debden Day;
- (c) Weekend visit to the District by Norwegian Air Force veterans, senior serving officers in the Royal Norwegian Air Force, civic dignitaries and youth councillors from the Town of Bodo in Norway;
- (d) City Harvest Festival – a Celebration of Farming and Community Gardening in London;
- (e) Opening of Limes Farm Multi-Use Games Area – Refurbishment Project;
- (f) London's Pearly Kings and Queens Costermongers' Harvest Festival Parade and Service;

(g) Voluntary Action Epping Forest Annual General Meeting:

The Chairman advised that she would be sending the flowers from tonight's Council meeting to Voluntary Action Epping Forest.

(b) Announcements by the Leader of Council

Councillor Mrs D Collins, Leader of the Council, reported on her attendance at a meeting of Leaders of Councils in the Eastern Region organised by the East of England Regional Assembly and the East of England Development Agency at which the possibility of the two bodies being amalgamated had been discussed.

The Leader also reported on her attendance at a Human Resources Officers Evolution event at Chelmsford at which two of this Council's officers had made presentations.

Councillor Mrs Collins advised that she had recently met the Leader of Harlow Council and was shortly due to meet the Leader of Uttlesford District Council to discuss the possibilities for working together and sharing services. She assured members that these were exploratory talks only and that no commitments would be entered into without full member consideration.

Members noted that a meeting had been held with a barrister following the Local Development Framework Cabinet Committee meeting in order to obtain advice on the best way of pursuing the current Gypsy and Traveller consultation arrangements.

The Leader advised that she had recently attended a leaving party for Aidan Thomas who had resigned as Chief Executive of the Epping Forest PCT in order to take up a post with a Mental Health Trust. Councillor Mrs Collins drew attention to the service given by Mr Thomas to both the West Essex and Epping Forest PCTs and reported that he would be succeeded by Catherine O'Connell.

68. ADJOURNMENT

The Chairman adjourned the meeting at 7.55 p.m. in order to respond to a fire alarm. The meeting reconvened at 8.10 p.m.

69. PUBLIC QUESTIONS (IF ANY)

The Council noted that there were no public questions for this meeting.

70. 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 Environment Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder and the Performance Management 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) Community Safety and Transport Portfolio Holder

Councillor Ms S-A Stavrou reported that an order aimed at preventing alcohol and anti-social behaviour problems at Stonards Hill and Lower Swaines Recreation Grounds in Epping had come into effect in August. The Designated Public Places Order did not make it an offence to consume alcohol within a designated area but did make it an offence for any one to drink alcohol after being asked not to do so by a Police Officer, a Police Community Support Officer or an accredited person.

The Portfolio Holder advised that crime figures continued to be a little higher than expected but account needed to be taken of the 8% decrease last year and this year's target of an additional 5% decrease. Members noted that the Safer Communities Partnership was working with the Police to target a reduction in dwelling burglary, serious acquisitive crime and anti-social behaviour in certain areas of the District. Domestic violence figures were also being examined. The Portfolio Holder advised that there had been increased use in the District by the Police of the automatic number plate recognition system.

Councillor Stavrou advised that the Council had a duty to scrutinise crime and disorder matters in the District and that this duty would be undertaken by the Safer Cleaner Greener Scrutiny Panel at meetings in February and October each year. The next meeting of the Panel dedicated to this purpose would be held on 27 October 2009 and the Portfolio Holder invited members to submit details of Crime and Disorder matters which they would like scrutinised for inclusion on the agenda. She advised that further details had been published in the Council Bulletin.

The Portfolio Holder advised that the week commencing 2 November 2009 had been designated a "Not in my Neighbourhood" week and that members of the Safer Communities Team would be putting on road shows and exhibitions on how to stay safe in the Epping Forest District. Also, local residents were being urged to join the partners of the Safer Communities Partnership in a Community Consultation Event to be held at Waltham Abbey Town Hall on 17 November 2009. Further details of that event had been published in the recent edition of The Forester magazine.

Councillor Stavrou advised that the second meeting of the Highways Panel had been held recently and that officers had reported on the status of the parking reviews in Epping, Buckhurst Hill and Loughton. Responses to the Epping Review were being assessed prior to recommendations being made to the District Council, the public consultation process in relation to Buckhurst Hill had been completed and a consultation for Loughton was in its final draft form and would be submitted to the District Council in October 2009.

The Portfolio Holder advised that the Highways Panel had also considered a programme of work for 2010/11 and had received a presentation on road safety in the District. Regrettably the latter had shown that this District had the highest number of road deaths and casualties in the County.

Councillor Stavrou advised that it had been decided that bids to the Panel should initially be made to the Environment and Street Scene Directorate and that Parish and Town Clerks would shortly receive advice on how bids were to be submitted.

The Portfolio Holder drew attention to improvements to be undertaken to the Baker's Lane Car Park in Epping which included re-surfacing, improved drainage, CCTV and improved lighting.

(b) Finance and Economic Development Portfolio Holder

Councillor C Whitbread drew attention to his attendance in his role as Business Champion at a 60th anniversary dinner for the Chamber of Commerce. He also advised that arrangements were being made for the Council to sign a Small Business Engagement Accord which had been developed by the Federation of Small Businesses and aimed to set down an agreed protocol for businesses and the public sector to work together.

71. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Defective Highways in Nazeing**

Councillor Mrs A Cooper asked the Performance Management Portfolio Holder why he had not responded to telephone calls from a local resident who had suffered a fall in Nazeing as a result of an alleged defect in the highway.

Councillor Bassett, Performance Management Portfolio Holder, advised that he had not received any telephone calls from this resident and he asked Councillor Cooper to provide him with details so that he could contact the resident.

(b) Fireworks

Councillor S Murray asked the Community Safety and Transport Portfolio Holder what proactive steps were being taken to deal with the misuse and mis-selling of fireworks in the District.

Councillor Ms S-A Stavrou, Community Safety and Transport Portfolio Holder, drew attention to the steps taken by the Safer Communities Team and the Police last year and stated that she expected similar steps would be taken this year. She agreed to provide details to members.

(c) Beechfield Walk and Lodge Lane, Waltham Abbey

Councillor Mrs R Gadsby asked the Community Safety and Transport Portfolio Holder if further steps could be taken to prevent lorries delivering to the Sainsbury's Depot from accessing and causing damage to minor roads which did not form part of the approved routing plan

Councillor Ms S-A Stavrou, Community Safety and Transport Portfolio Holder, expressed disappointment that the steps taken to date had not solved the problem. She advised that signage had been erected in an attempt to ensure that lorries used the designated routes and that she would consult with Highways in order to establish if any further steps could be taken. She agreed to report back on receipt of a response from Highways.

(d) Inter Authority Agreement – Funding Allocations to Waste Collection Authorities

Councillor D Jacobs asked the Environment Portfolio Holder whether the annual reviews would present an opportunity to revise the revenue funding allocations and whether there was still an opportunity for the current year's allocation to be revised.

Councillor Mrs M Sartin, Environment Portfolio Holder, advised that no change would be made to the figures for the current year and that the clause relating to annual reviews was in relation to capital and not revenue funding. She stated that she

expected revenue funding to be increased on an incremental basis each year but that she would need to check that assumption with officers. She confirmed that together with officers she would be seeking to ensure that this Council's needs were met through the annual reviews.

(e) Crooked Mile, Waltham Abbey – Safety Railings

Councillor Mrs J Lea asked the Community Safety and Transport Portfolio Holder why railings in Crooked Mile had been removed by Highways.

Councillor Ms S-A Stavrou, Community Safety and Transport Portfolio Holder, stated that she was unaware that this had taken place but would make enquiries and would inform members of the outcome.

(f) Procurement

Councillor Mrs J H Whitehouse asked the Finance and Economic Development Portfolio Holder if he had yet reviewed the Council's ordering system with a view to simplifying it and making it easier to help local businesses.

Councillor C Whitbread, Finance and Economic Development Portfolio Holder, advised that this was part of a wider issue associated with the need to work more closely with local businesses. He pointed out that despite the current difficulties more local companies were now doing business with the Council.

(g) Anti-Social Behaviour – Harassment

Councillor Mrs J H Whitehouse drew the attention of the Community Safety and Transport Portfolio Holder to the recent national publicity alleging that the anti-social activities of a family had led to a resident in Leicestershire killing her disabled daughter and committing suicide. She asked the Portfolio Holder if effective steps were in place in this District to deal with such matters and for an indication of the number of reported harassments and the action taken.

Councillor Ms S-A Stavrou stated that the Council did not have access to all of the Police data but that there was close working between the Council and other agencies in relation to these matters. She agreed to provide details of the information which was available.

(h) Markets

Councillor J M Whitehouse asked the Community Safety and Transport Portfolio Holder and the Finance and Economic Development Portfolio Holder if there were any proposals to establish a Markets Champion as had been suggested by the Epping Town Council.

Councillor Ms S-A Stavrou, Community Safety and Transport Portfolio Holder, stated that she had not yet had an opportunity to study the report of the Town Council but would shortly do so. Councillor C Whitbread, Finance and Economic Development Portfolio Holder confirmed that the report of the Town Council would be receiving attention.

(i) Food and Garden Waste Facilities

Councillor A Green asked the Environment Portfolio Holder if arrangements had yet been made to visit the facility where the District's food and garden waste would be taken.

Councillor Mrs M Sartin, Environment Portfolio Holder, stated that SITA, the Council's waste collection contractors were making arrangements for a member visit and that details would be published in the Council Bulletin. She also advised that arrangements had now been made for food and garden waste from the north of the District to be taken to a transfer station closer to that part of the District than the transfer station in Barking where food and garden waste from properties in the south of the District would be taken.

72. MOTIONS

There were no motions to be considered at this meeting.

73. QUESTIONS BY MEMBERS UNDER NOTICE**(a) Local Development Framework Studies****By Councillor Mrs C Pond to Councillor Mrs D Collins, Leader of the Council**

“(i) What consultation will take place with members, parish councils, amenity and residents' associations etc in preparing the LDF Landscape Sensitivity Study, and the LDF Planning for Open Space, Sport and Recreation Audit and Assessment, and over what period?”

“(ii) How will the review of the designation of Wildlife Sites be conducted following receipt of the LDF Phase 1 Habitat Study?”

Responses read by Councillor Mrs D Collins, Leader of the Council

“(i) The Local Development Framework Team are inundated with consultations at present and they are trying to do work on the Core Framework in order to move us on further. A lot of these documents are in hand now. If you have a particular interest in any of them when they are back in the office you are welcome to look at any document. Some of the documents do not need to be consulted on. Members will of course have a chance to look at them when they come first to the LDF Cabinet Committee and then to the Cabinet. Those that need to go out for consultation will do so after that consideration.

If you have any particular interests please tell the officers and they will be more than pleased to let you look at an individual document.

We now have a new Assistant Director (Policy and Conservation) in post and she is giving attention to a document which will explain the intended consultation arrangements, so as to ensure that they are suitable and proportionate.

“(ii) The Review of Wildlife Sites is being carried out by Essex Ecology Services (EECOS), an offshoot of Essex Wildlife Trust. EECOS carried out the original survey in the early 1990s based on guidelines established by the then English Nature. EECOS surveyed the entire county to ensure a consistent approach throughout Essex; the guidelines have been reviewed since then and EECOS have updated the

survey work for most of the Essex Districts, so employing that company will again ensure a consistent approach throughout the county.

I have to report that all of the papers will go into the Issues and Options document and that will be discussed at the various committee stages. There will therefore be opportunities for members to consider them although not all of the documents have to go out for consultation. Our officers are trying to do the best they can in very difficult circumstances. If there is anything there that you want to have a look at you are very welcome.”

Supplementary Question by Councillor Mrs C Pond to Councillor Mrs D Collins, Leader of the Council

“I am pleased to hear that there is a new Assistant Director (Policy and Conservation) in post. If we have a presentation again like the Town Centres one, please could it be for a longer time than half an hour.”

Reply by Councillor Mrs D Collins, Leader of the Council

“Yes, we will try to give as much time as possible”.

74. REPORT OF THE CABINET - THE BROADWAY, LOUGHTON - FINANCIAL ASSISTANCE FOR TRADERS

Mover: Councillor C Whitbread – Finance and Economic Development Portfolio Holder (in the absence of Councillor M Cohen – Legal and Estates Portfolio Holder)

The Portfolio Holder submitted a report recommending a scheme of rent refunds.

Report as first moved **ADOPTED**

RESOLVED:

That a scheme of rent refunds for shops in the Broadway, Loughton that matches the temporary amendments to rateable values approved by the Valuation Officer be agreed subject to the following:

- (a) only properties that have received a reduction in rateable value will be eligible;
- (b) the period of the refund will match the period of the reduction in the rateable value; and
- (c) the percentage reduction in rent will match the percentage reduction in rateable value.

75. REPORT OF THE CABINET - HOUSING STRATEGY 2009-2012

Mover: Councillor D Stallan – Housing Portfolio Holder

The Portfolio Holder submitted a report recommending adoption of a Housing Strategy.

Amendment moved by Councillor S Murray and seconded by Councillor D Stallan:

“That the Housing Officers responsible for preparing the document be thanked for their hard work.”

Carried

Report as amended **ADOPTED**

RESOLVED:

- (1) That the Council's Housing Strategy 2009-2012 be adopted for a period of three years; and
- (2) That the Housing Officers responsible for preparing the document be thanked for their hard work.

76. REPORT OF THE CABINET - EPPING FOREST COLLEGE, LOUGHTON - RELEASE OF RIGHT OF PRE-EMPTION

Mover: Councillor C Whitbread – Finance and Economic Development Portfolio Holder (in the absence of Councillor M Cohen – Legal and Estates Portfolio Holder)

The Portfolio Holder reported on the proposed release of a right of pre-emption.

In accordance with Section 100B of the Local Government Act 1972 and Council Procedure Rule 2.1 (xi), the Chairman had deemed this item as urgent business in order to prevent an undue delay in proceeding with the matter.

Amendment moved by Councillor Mrs L Wagland and seconded by Councillor Ms S-A Stavrou:

“That the recommendations be replaced with the following:

“(1) That the release of the right of pre-emption in respect of an area of approximately 0.95 acres/0.38 hectares shown edged black only on the attached plan be agreed, subject to Epping Forest College entering into an agreement with the Council which contains a contractual commitment by the College to provide new community sports facilities as a priority when funds become available;

(2) That the final terms of the contractual commitment be delegated to the Portfolio Holder for Legal and Estates for approval, in consultation with the Solicitor to the Council; and

(3) That in the event that an agreement cannot be finalised with the College, a further report be made to the Cabinet before the right of pre-emption is released.”

Carried

Report as amended **ADOPTED**

RESOLVED:

- (1) That the release of the right of pre-emption in respect of an area of approximately 0.95 acres/0.38 hectares shown edged black only on the attached plan be agreed, subject to Epping Forest College entering into an

agreement with the Council which contains a contractual commitment by the College to provide new community sports facilities as a priority when funds become available;

(2) That the final terms of the contractual commitment be delegated to the Portfolio Holder for Legal and Estates for approval, in consultation with the Solicitor to the Council; and

(3) That in the event that an agreement cannot be finalised with the College, a further report be made to the Cabinet before the right of pre-emption is released.

77. STATUTORY STATEMENT OF ACCOUNTS 2008/09

Mover: Councillor A Green – Chairman of the Audit and Governance Committee

Councillor Green reported that the Council had adopted the Statutory Statement of Accounts 2008/09 at its meeting on 30 June 2009. He advised that the audit of the Annual Statutory Statement of Accounts had revealed some errors in the accounts. Members noted that where a material error was discovered the Director of Finance and ICT was required to report the amendment to the Audit and Governance Committee. Only notification of material amendment was required and so whilst reapproving the accounts was not compulsory, it was regarded as best practice. Councillor Green reported that the amended Statutory Statement of Accounts had been considered and approved by the Audit and Governance Committee on 24 September 2009. He requested the Council to reapprove the Statutory Statement of Accounts.

Amendment moved by Councillor C Whitbread and seconded by Councillor A Green:

“That the Accountancy Team be thanked for producing the accounts within the tight statutory timescale”.

Carried

Report as amended **ADOPTED**

RESOLVED:

(1) That the Statutory Statement of Accounts 2008/09 be reapproved; and

(2) That the Accountancy Team be thanked for producing the accounts within the tight statutory timescale.

78. EPPING FOREST COLLEGE

The Council was advised that following an interview, the Leader of the Council had been appointed a full member of the Corporation Board of the College.

RESOLVED:

That the appointment of Councillor Mrs D Collins, Leader of the Council, to the Corporation Board of the College be noted.

79. ESSEX SUPPORTING PEOPLE COMMISSIONING BODY

The Leader of the Council advised that she had now appointed Councillor Ms S-A Stavrou as the deputy representative on this body in place of Councillor Mrs H Harding.

RESOLVED:

That the action of the Leader of the Council in appointing Councillor Ms S-A Stavrou as the deputy representative on the Essex Supporting People Commissioning Body in place of Councillor Mrs H Harding for the remainder of the current municipal year be noted.

80. LICENSING COMMITTEE

The Leader of the Conservative Group advised that she wished to change one of the Group's nominees for the remainder of the current municipal year.

RESOLVED:

That Councillor K Chana be appointed a member of the Licensing Committee in place of Councillor B Rolfe for the remainder of the current municipal year.

81. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

Councillor J Knapman requested that the Council's nominated Managing Trustees of the Grange Farm Trust report to the next meeting of the Council on the activities of the Trust.

RESOLVED:

That the Council nominated Managing Trustees report to the next meeting on the activities of the Trust.

82. EXCLUSION OF PUBLIC AND PRESS

The Chairman announced that she had been advised that item 19 (Contract of Employment – Post XEX/01) had been withdrawn and that as a result there was no need for the Council to consider the exclusion of the public and press. The Chairman closed the meeting.

CHAIRMAN