

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 28 September 2010

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

Members Present: Councillors Mrs A Grigg (Chairman), K Angold-Stephens (Vice-Chairman), R Barrett, W Breare-Hall, Ms R Brookes, Mrs P Brooks, K Chana, Mrs T Cochrane, R Cohen, J Collier, Mrs D Collins, D Dodeja, Ms C Edwards, Mrs R Gadsby, P Gode, A Green, J Hart, Ms J Hart, Ms J Hedges, D Jacobs, D C Johnson, Mrs S Jones, J Knapman, Mrs J Lea, L Leonard, J Markham, Mrs M McEwen, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, Mrs P Richardson, B Sandler, Mrs M Sartin, Mrs P Smith, P Spencer, D Stallan, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland, Ms S Watson, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors R Bassett, A Boyce, C Finn, B Judd, W Pryor, B Rolfe, Ms S Stavrou and Mrs E Webster

Officers Present: D Macnab (Acting Chief Executive), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), G Lunnun (Assistant Director (Democratic Services)), I Willett (Assistant to the Chief Executive), T Carne (Public Relations and Marketing Officer) and R Perrin (Democratic Services Assistant)

62. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive, on behalf of the Chairman of the Council, 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.

63. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 27 July 2010 be taken as read and signed by the Chairman as a correct record.

64. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Collins declared a personal interest in agenda item 11 (Report of the Cabinet – Epping Forest College, Loughton – Replacement of Restrictive Covenants) by virtue of being Chairman 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 the matter.

65. ANNOUNCEMENTS

(a) **Announcements by the Chairman of the Council**

(i) Attendance at Events

The Chairman reported on her attendance at the Costermongers Harvest Festival Parade and Service held at St Mary's Bow Bells at which there had been many Pearly Kings and Queens present. The Chairman drew attention to the work undertaken by the Pearly Kings and Queens in raising funds for charities.

The Chairman also reported on her attendance at the Annual Service of Remembrance for the Battle of Britain held at St Andrew's Church, North Weald which had been a special occasion this year being the 70th Anniversary.

Councillor Mrs Grigg advised that she had visited the National Scout Conservation Project in Epping Forest. The Chairman reported that together with Councillor Stallan she had represented the District Council in the annual Petanque Challenge Match against Epping Town Council at which the District Council had been successful again.

(ii) Race for Life

The Chairman thanked members for sponsoring her for this event.

(iii) Flowers from the Meeting

The Chairman advised that the flowers from the meeting would be sent to Councillor Cyril Hawkins, Chairman of North Weald Bassett Parish Council who was due to have a major operation.

(c) Announcements by the Leader of the Council

There were no announcements by the Leader under this heading.

(d) Announcements by Portfolio Holders

There were no announcements by Portfolio Holders under this heading.

(e) Quality Parish Status – Reaccreditation – Ongar Town Council

The Chairman introduced Canon John Brown, the Chairman of the Essex County Accreditation Panel and invited him to say a few words on Quality Parish Status prior to making a presentation to Councillor Diana Roberts, the Vice-Chairman of Ongar Town Council and Mr Mark Squire, the Clerk and Responsible Financial Officer of Ongar Town Council in recognition of the Town Council being reaccredited for Quality Parish Status.

Canon Brown advised that the concept of Quality Parish Status had been introduced in March 2003 following the Government's Rural White Paper. The standard for quality status had been revised in 2008 with a national standard set. He reported that currently there were 697 Quality Parish Councils nationally of which 183 had been reaccredited. 42 Parish/Town Councils in Essex had been awarded Quality Status and 22 had been reaccredited for the latest standard. Canon Brown congratulated Ongar Town Council for meeting the standard required and praised the layout of their annual report, the availability of business cards, the use of reply paid envelopes for consultation exercises, the publication of leaflets, the subsidising of a minibus, the holding of councillors' surgeries and an investment in Christmas lights. He also congratulated the Clerk on achieving distinction in the Certificate in Local

Council Administration. Canon Brown suggested that Ongar Town Council was well placed to deliver the power of wellbeing, a role already being undertaken by 10 local councils in Essex.

The Chairman of the Council, Canon Brown, Councillor Roberts and Mr Squire moved to the well of the Chamber for the formal presentation and photographs.

(e) Essex Strategic HR Partnership – Virtual Network Essex

The Chairman reported that at the Annual Learning Pool Conference, the Essex Strategic HR Partnership had won an award for partnership working. The award had been given in recognition of the work the Partnership had undertaken on the ViNE – Virtual Network Essex. She advised that the ViNE was used by all of the cohorts of the Evolution Training Programme and would be developed to allow apprentices and other workers to network.

Councillor Mrs Grigg reported that the ViNE Project had been awarded £500,000 from Improvement East to develop the network across the Eastern Region.

The Chairman made a presentation to Paula Maginnis, Assistant Director of Human Resources and Julie Dixon, Learning and Development Officer in the Corporate Support Services Directorate in recognition of the work undertaken by this Council in relation to the project following which photographs were taken.

66. STATUTORY STATEMENT OF ACCOUNTS - 2009/10

The Chairman obtained the agreement of the Council to bring this item forward as Councillor Green, mover of the report was feeling unwell.

Mover: Councillor Green, Chairman of the Audit and Governance Committee

Councillor Green reported that following a recommendation from the Audit and Governance Committee meeting on 21 June 2010, the Council had approved the Statutory Statement of Accounts 2009/10 at its meeting on 29 June 2010. The accounts had been approved without an Annual Governance Statement as the Audit and Governance Committee had asked for the draft presented to them on 21 June 2010 to be reworded.

Councillor Green advised that the audit of the Annual Statutory Statement of Accounts had revealed some errors in the accounts. He explained 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.

Councillor Green reported that the material error related to a sum of £25.5 million which had been made as an entry in the Revaluation Reserve but should have gone to the Capital Adjustment Account. He advised that the correction of this technical error and the movement between these accounts had no effect on the General Fund or the Housing Revenue Account balances.

Councillor Green invited the Council to reapprove the revised Statutory Statement of Accounts which had been considered by the Audit and Governance Committee again on 20 September 2010. He advised that the Auditors had indicated that they would issue an unqualified opinion on the revised Statutory Statement of Accounts and they had also confirmed that the Council was making adequate arrangements to secure value for money.

Report as first moved **ADOPTED**

RESOLVED:

That the Statutory Statement of Accounts 2009/10 be reapproved.

67. PUBLIC QUESTIONS (IF ANY)

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

68. 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 Finance and Economic Development Portfolio Holder, the Housing Portfolio Holder, the Legal and Estates Portfolio Holder, the Leisure and Wellbeing Portfolio Holder and the Performance Management Portfolio Holder.

The Chairman invited the Leader and the Safer and Green Portfolio Holder to provide oral reports and other members of the Cabinet to give an oral update of their written reports.

(a) Leader of the Council

The Leader advised that local authorities were required to draw up plans for Local Enterprise Partnerships (LEPs) to replace Regional Development Agencies. The Leader reported that she had attended meetings as a result of which work had been undertaken with a view to the submission to the Government of a bid for a West Essex LEP. However, shortly before the deadline for the submission of a bid it had become clear that the Government were expecting bids to cover larger areas than West Essex. As a result it had been decided to submit a bid for an Essex/Kent LEP. In due course a Board would be set up for this LEP which would include one member representing West Essex authorities. The Leader apologised that the timescale for submitting the bid had prevented her from consulting other members.

Councillor Collins reported that she had attended a meeting of Council Leaders at Essex County Council at which there had been further discussions regarding shared services in the current economic climate. A further meeting was to be held on 11 November 2010 with an external facilitator. The Leader assured the Council that she would not enter into any commitment regarding shared services prior to seeking the views of members of this Council.

The Council noted that a joint meeting of the Cabinet and Management Board had been held at which consideration had been given to budget savings likely to be required. The Leader reported that savings of between 25% and 40% might be required and the full extent would not be known until after the Comprehensive Spending Review on 20 October 2010. Members noted that future joint meetings would be held on a quarterly basis.

Councillor Collins reported that at the recent Constitution and Member Services Scrutiny Panel meeting, consideration had been given to the appointment of Deputy Portfolio Holders. The proposals had been agreed by the Panel and would now be considered by the Overview and Scrutiny Committee, the Cabinet and in due course the Council.

The Leader reported on the improved level of GCSE A-C passes including English and Maths in schools in the district. She referred to the percentage increases on the previous year and congratulated the schools for their achievements.

Councillor Collins reported on the nominations which had been made to the Chief Executive Appointment Committee. Members noted that the Conservative Group nominations were Councillors Collins, Green, Grigg and Whitbread; the LRA nomination was Councillor Pond; the Liberal Democrats Group nomination was Councillor J M Whitehouse; and Councillor Murray had been nominated to represent the non-affiliated members. The Leader advised that subject to receiving advice on one issue, steps would now be taken to arrange meetings of the Committee.

(b) Environment Portfolio Holder

Councillor Sartin reported that currently a recycling figure of 60% was being achieved. She thanked residents of the district for their commitment to recycling.

(c) Operational Planning and Transport Portfolio Holder

In the absence of Councillor Stravrou, Councillor Whitbread reported on the proceedings of a recent meeting of the Local Highways Panel. The Panel had discussed at length the outstanding Parking Reviews and the impact the delay was having on residents within the areas under review. Members noted the Panel was recommending to the Cabinet that a phased approach be taken to the Parking Reviews starting with Epping so that costs could be worked out for the remaining reviews in Buckhurst Hill and Loughton Broadway. Councillor Whitbread advised that the recommendations of the Panel would form part of a report to be submitted to the Cabinet which would offer a number of options for the way forward. Councillor Whitbread also reported that the Local Highways Panel had decided to pursue a six month Ranger Service and had rejected a suggestion of a reduced five months service. He pointed out that this Service enabled the speedy resolution of minor highway repair works and had proved to be very popular under the Highways Localism agenda.

(d) Safer and Greener Portfolio Holder

Councillor Smith reported that the Safer, Cleaner, Greener Scrutiny Panel at its next meeting on 7 October 2010 would be considering cross-border work in relation to the Community Safety Partnership. She advised that there would be a presentation on displacement of criminality solutions. A CCTV officer would also be present to discuss the operation of CCTV around the district following the adoption by the Cabinet on 13 September 2010 of a Code of Practice. Councillor Smith advised that members of the public and Town and Parish Council representatives would be most welcome at the meeting.

The Portfolio Holder advised that draft character appraisals had been prepared for the York Hill, Baldwins Hill and Staples Road Conservation Areas and these were currently the subject of public consultation. She advised that a successful public meeting had been held in relation to these proposals and she drew attention to the ways in which responses could be made to the consultation exercise.

Councillor Smith reported that the Communities and Local Government Department had announced proposals for streamlining the making of tree preservation orders. A report would be submitted to a future Planning Services Scrutiny Panel meeting to enable a response to be formulated to the consultation paper.

69. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Budget Savings**

Councillor Murray referred to the Leader's report regarding budget savings and asked how long after the announcement of the Comprehensive Spending Review would councillors, residents and staff be advised of the impact of savings to be made by this Council.

Councillor Collins advised that a medium term financial strategy was in place which was expected to cover most eventualities. She advised that there were currently no plans to cut services, especially statutory services. She drew attention to the requirement for no increase in Council Tax for the next two years and pointed out that a prudent approach would need to be taken to all expenditure.

(b) Enforcement

Councillor Phillip congratulated the Legal and Estates Portfolio Holder on recent enforcement successes but questioned whether consultation letters in relation to planning and enforcement matters were sufficiently clear for the public to understand the issues.

Councillor Wagland agreed that good enforcement commenced with good communication and an understanding of the issues. She pointed out, however, that in some cases the technical issues involved made it difficult to present a clear picture to the public. She advised that she had recently looked at one of the Council's letters in relation to planning objections and had concluded that this could be made clearer. She referred to a recent meeting with all Directors at which enforcement in general had been discussed and a commitment given to an improvement in communication. Councillor Wagland invited Councillor Phillip as Chairman of the Planning Services Scrutiny Panel to include this issue on the work programme of the Panel.

(c) Parking Review – The Broadway Loughton

Councillor Jenny Hart stated that the District Council was under an obligation to the County Council to undertake The Broadway, Loughton Parking Review but not the Epping or Buckhurst Hill Reviews. She submitted that residents in the locality of The Broadway were suffering as a result of the delay in undertaking the review and questioned why this area was being given a lesser priority than Epping and Buckhurst Hill.

In the absence of the Operational Planning and Transport Portfolio Holder, Councillor Whitbread responded to the question. He drew attention to the District Council's significant investment in improvements to The Broadway area which had been undertaken in recent years and pointed out that parking was a County Council function with the reviews only being initiated by the District Council on behalf of the County Council in view of a lack of action by the County Council. He pointed out the need to consider carefully the allocation of the District Council's budget for Parking Reviews and suggested that pressure should be applied to the County Council and not the District Council.

(d) Vacant Posts/Performance

Councillor P Brooks referred to the savings on the salaries budget due to vacant posts and to the failure to achieve key performance indicator targets in relation to

certain services. She asked whether active steps were still being taken to fill vacant posts.

Councillor Whitbread advised that a sensible approach was being taken to staff vacancies and that he did not believe the performance targets were being adversely affected by current vacancies. He reported that in relation to Housing Benefits the performance was improving and that steps were being taken to improve the performance in relation to Housing Repairs.

(e) Langston Road Retail Park Proposal

Councillor Markham referred to the report of the Legal and Estates Portfolio Holder regarding the interest expressed by a number of national multiple retailers. He drew attention to rumours being discussed by residents and asked what type of companies had expressed an interest in the development.

Councillor Wagland advised that expressions of interest had been lodged by a number of multiples concerned with out of town retail development. She emphasised that no planning application had been submitted yet and that attempts would be made as far as possible to protect existing businesses in The Broadway.

(f) Parking Reviews

Councillor J M Whitehouse asked whether the report to be submitted to the Cabinet in October would seek to identify a way forward or simply report on progress.

In the absence of the Operational Planning and Transport Portfolio Holder, Councillor Whitbread advised that he understood the report would contain a number of options and would be aimed at progressing the reviews as quickly as possible.

(g) Displacement Criminality Solutions

Councillor Richardson referred to the oral report of the Safer and Greener Portfolio Holder and asked for clarification of the meaning of displacement criminality solutions.

Councillor Smith advised that intelligence suggested that the shared borders with Greater London and the easy access routes into the district had a specific impact on acquisitive crime in the district with many offences being committed by offenders living outside of the district. The proposal was for representatives of the Metropolitan Police and their respective Community Safety Partnerships to work together with Essex Police and the Local Community Safety Partnership sharing information, intelligence and best practice. By working together on issues of common concern it was likely that there would be a reduction in the chances of displacement when crime reduction measures were implemented.

(h) New Licence Conditions for Park Home Sites

Councillor Johnson referred to the Housing Portfolio Holder's report following the recent meeting of the Housing Scrutiny Panel and asked for an indication of the timescale for considering responses to the consultation exercise and the taking of the final decision.

Councillor Stallan took the opportunity to thank Councillor Murray as Chairman of the Housing Scrutiny Panel for undertaking a detailed review of the proposed new licence conditions for all of the Park Home sites in the district. He advised that

consultation with all Park Home residents on the report to the Panel and the Panel's recommendations would commence in October and run for a period of approximately six weeks. The matter was then expected to be reported to the Cabinet in January 2011 for a decision. Councillor Stallan advised that he had asked for all members of the Council to receive a copy of the consultation document.

(i) Salt Gritting Bins

Pursuant to the Council's Code of Member Conduct, Councillor Sutcliffe declared a personal interest in this matter by virtue of being a member of Buckhurst Hill Parish Council. The Councillor advised that she had determined that her interest was not prejudicial.

Councillor Sutcliffe advised that the Buckhurst Hill Parish Council had been informed by Essex County Council that salt gritting bins would no longer be provided at the request of Parish Councils. Also the decision was being applied retrospectively to orders placed earlier in the year. Councillor Sutcliffe stated that she did not understand the approach being taken by the County Council since Parish Councils paid for the supply of the bins. She asked if this matter could be pursued with the County Council.

In the absence of the Operational Planning and Transport Portfolio Holder, Councillor Whitbread said that he would ask Councillor Stavrou to take up this matter with the County Council and that a copy of their response would be printed in the Council Bulletin.

(j) Public Order Incident – Cottis Lane, Epping

Councillor Breare-Hall advised that local residents had expressed concern about a public order incident in Cottis Lane the previous weekend. He asked what steps the Council could take to prevent the reoccurrence of such an incident.

Councillor Smith, Safer and Greener Portfolio Holder advised that an active police investigation was underway in relation to the incident and that it would be inappropriate to comment in detail. She confirmed that the Community Safety Team was liaising with the Police and that if on completion of the investigation the Police were concerned about the management of any licensed premises they would be able to seek a review of the appropriate licence.

(k) Car Park Signage – The Broadway, Loughton

Councillor Knapman advised that whilst Essex County Council were prepared to arrange for Highway Rangers to put up direction signs to the car parks in The Broadway they were not prepared to pay for the signs. He asked if the District Council would be prepared to fund the provision of the signs.

In the absence of the Operational Planning and Highways Portfolio Holder, Councillor Collins, Leader of the Council, advised that the Portfolio Holder was reviewing budgets and hopefully money would be identified which could be used to secure the provision of the signs.

(l) Performance Reward Grant Cutbacks

Councillor Murray referred to a question he had asked at the last Council meeting regarding the decision of Essex County Council to withdraw funding from a range of local projects for children and young people. He pointed out that in relation to his

previous question the Leisure and Wellbeing Portfolio Holder had agreed to provide members with a full report as to how the decision of the County Council would impact on various groups. Councillor Murray asked when that report would be made.

In the absence of the Leisure and Wellbeing Portfolio Holder, Councillor Collins, Leader of the Council, advised that responses were awaited from the County Council and as soon as these were received members would be made aware of the position in the Council Bulletin.

(m) Parking Charges in LUL Car Parks

Councillor Stallan drew attention to the increase in parking charges at LUL Stations in the district and in the absence of the Operational Planning and Transport Portfolio Holder asked the Finance and Economic Development Portfolio Holder if he agreed, having regard to the current economic climate, that it was the worse possible time to increase such charges. He also asked the Portfolio Holder if he would write to Transport for London to express concern about the increases with a copy of the representations being sent to local Members of Parliament and the Mayor of London.

Councillor Whitbread agreed that it was inappropriate to introduce such dramatic increases in charges at the current time and pointed out that the District Council had taken the decision not to increase charges in its car parks.

(n) Void Council Property

Councillor R Brookes drew attention to the Council's Housing Waiting List of over 5,000 applicants and asked the Housing Portfolio Holder to investigate why the property, 1 Mowbrey Gardens, Loughton had been void for so long. She pointed out that recently neighbours had designed and erected an estate agents board stating that the property had been empty for eight months and questioning why this had been allowed to happen.

Councillor Stallan agreed that with such a long waiting list it was important to let empty properties as quickly as possible. He stated that he was not aware of the reasons for this particular property remaining vacant for so long and said he would take up this matter with officers. Whilst not condoning the action taken by neighbours he stated that he understood their frustration.

70. MOTIONS

The Council was advised that there were no motions for consideration at this meeting.

71. QUESTIONS BY MEMBERS UNDER NOTICE

(a) Housing Benefit

By Councillor Murray to Councillor Whitbread, Finance and Economic Development Portfolio Holder

"Following the recent cutbacks planned for Housing Benefit announced by the present coalition government could the Portfolio Holder please give the best possible estimate of:

(a) the number of Epping Forest District claimants that could face a cut in their Housing Benefit entitlement;

- (b) the number of Epping Forest District families that might face real difficulties in paying their rent; and
- (c) the number of Epping Forest District families that could possibly be forced into giving up their existing privately rented home to find cheaper accommodation.”

Councillor Whitbread, having regard to the length of his proposed reply obtained the leave of the Council not to read the following reply in full. He also undertook to publish the reply in the Council Bulletin.

Response of Councillor Whitbread, Finance and Economic Development Portfolio Holder

“The final details of the possible changes are still to be confirmed, so it is difficult to be precise at this stage. However, I can provide some information on the three aspects to the current proposals.

Firstly, changes may be implemented in April 2011 capping Local Housing Allowance (the amount of Housing Benefit payable) to the four bedroom rate and a general capping on all the bedroom rates. This will affect those authorities with very high rents such as London Boroughs. On the evidence currently available, it appears that this change will have little, if any, impact on this district.

Secondly, under the current system it is possible for a tenant to receive more Housing Benefit than they are paying in rent. This will not be permitted under the proposed amendments. This change will affect a small number of claimants in the district who will lose this “top up”.

The final aspect of the changes is the reduction in the Local Housing Allowance rate from the 50th percentile to 30th percentile. Clearly the effect here will be determined by the buoyancy of the rental market and hence the difference between the 50th and 30th percentiles, which may vary considerably across different areas. The LHA rate is currently based on the median rent for a particular size of accommodation in a given area. The system works by grouping areas that the Department for Work and Pensions has determined as having similar characteristics into what are called Broad Rental Market Areas. This district is currently split into three BRMAs, with the north of the district being in the Harlow and Stortford BRMA, Waltham Abbey being in the South East Herts BRMA and the south of the district being in the Outer North East London BRMA.

The reduction to the 30th percentile rent may take effect from October 2011. This change will impact on all authorities and this district will suffer from having generally higher rents compared to the current LHA rates. A provisional study has been done looking at the effect based on rents in June 2010 and this is summarised for the three BRMAs below –

Harlow and Stortford BRMA

Accommodation	Current LHA £	New LHA £	Reduction £	Reduction %
Shared	78	70	8	10.3
1 Bed	127	121	6	4.7
2 Bed	160	150	10	6.3
3 Bed	201	184	17	8.5
4 Bed	276	239	37	13.4

Outer North East London BRMA

Accommodation	Current LHA £	New LHA £	Reduction £	Reduction %
Shared	71	63	8	11.3
1 Bed	150	144	6	4.0
2 Bed	190	178	12	6.3
3 Bed	230	207	23	10.0
4 Bed	299	276	23	7.7

South East Herts BRMA

Accommodation	Current LHA £	New LHA £	Reduction £	Reduction %
Shared	76	69	7	9.2
1 Bed	138	136	2	1.4
2 Bed	178	167	11	6.2
3 Bed	219	201	18	8.2
4 Bed	293	272	21	7.2

These tables illustrate that the effect on claimants across the district will vary depending on where they live and the accommodation they occupy. Whilst someone occupying one bedded accommodation in the South East Herts BRMA will only lose £2 per week, someone occupying four bedded accommodation in the Harlow and Stortford BRMA could lose £37 per week.

I am sorry that I cannot give more precise answers to the questions posed but I hope Members will understand what a complex issue this is and that details of how these changes will be implemented are still to be confirmed. Questions exist over whether this new regime will just be for new claims and the level of protection, if any, for existing claims. A further question also exists over Discretionary Housing Payments as the budget for these may be increased to provide some mitigation to the changes”.

72. REPORT OF THE CABINET - REVISED COUNCIL'S TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2010/11 TO 2012/13

The Chairman announced that the Audit and Governance Committee had considered the Strategy at its meeting on 20 September 2010 and had requested an additional analysis. The Chairman sought the leave of the Council to withdrawal of this report pending further consideration of the matter by the Audit and Governance Committee and possibly the Cabinet.

RESOLVED:

That the report be withdrawn.

73. REPORT OF THE CABINET - EPPING FOREST COLLEGE, LOUGHTON - REPLACEMENT OF RESTRICTIVE COVENANTS

Mover: Councillor Wagland – Legal and Estates Portfolio Holder

Councillor Wagland reported on covenants and a right of pre-emption which were vested in the District Council, previous decisions of the Council in relation to these matters and the current situation. She advised that due to the limited timescale

between the meeting of the Cabinet and the Council it had been necessary to prepare the report in advance of the Cabinet meeting. The recommendations in the report therefore reflected those submitted to the Cabinet and whilst recommendations (1), (3) and (4) had been adopted by the Cabinet, recommendation (2) had been altered. By leave of the Council, the Portfolio Holder read the amended recommendation.

Report as amended ADOPTED

RESOLVED:

(1) That the right of pre-exemption in respect of the land shown edged thick black on Plan A (attached) and edged thick black on Plan C (attached) which are part of Epping Forest College be released unconditional;

(2) That the covenant which restricts the use of the land shown edged black on Plan A be fully released in return for a side-letter or words in the Deed of Release with respect of the College providing replacement sports facilities when their funding situation allows;

(3) That the Director of Corporate Support Services, in consultation with the Portfolio Holder for Legal and Estates, be authorised to negotiate any reasonable variations to the covenant which restricts the use of the land shown edged thick black on Plan C; and

(4) That the Director of Corporate Support Services be authorised to agree minor variations to the new covenants if necessary.

(In accordance with paragraph 15.5 of the Council Procedure Rules, Councillors Murray and Jenny Hart requested that it be recorded that they voted against resolution (2) above).

74. REVIEW OF OFFICER DELEGATION 2010/11

The Council noted that the Leader of the Council had approved the delegation to the Acting Chief Executive of certain executive functions which had previously been exercisable by the Chief Executive.

75. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Waltham Abbey Town Partnership

Councillor Gadsby advised that King Harold Day had been judged the best event/festival of the year at the recent Essex Tourism Awards and would be going forward to the Regional Awards. She also reported that this year, King Harold Day would be held on 16 October 2010.

(b) Stansted Airport Consultative Committee

Councillor Sartin, as the Council's representative on the Stansted Airport Consultative Committee, reported on grants available to local organisations from Stansted Airport. She advised that the Stansted Airport Passenger Community Fund provided grants to local organisations within a 20 mile radius of the Airport. The funds made available were generated from unwanted foreign currency from passengers passing through the Airport and staff at the Airport.

Councillor Sartin reported that the District Council was represented on the Stansted Airport Community Trust Fund by Councillor Morgan who would report on grants recently allocated to organisations in this district.

Councillor Sartin reported that in addition the BAA Communities Trust – Stansted Community Fund offered grants to a wide range of community organisations and charitable groups within a 40 mile radius of the Airport. Councillor Sartin advised that she had recently been appointed to the Panel set up to consider applications from this fund and had been surprised at the lack of any applications from organisations within this district. She suggested there was a need to increase the awareness level of the availability of this fund and asked members to assist. Councillor Sartin said that she would publish information about this fund in the Council Bulletin. Members noted that the Panel met four times a year to consider grant bids and that the next meeting would be held on 17 February 2011.

(c) Stansted Airport Community Trust Fund

Councillor Morgan advised that the Trust encouraged applications for projects which protected and enhanced the social, economic and environmental wellbeing of the community within a 10 mile radius of the Airport. As a result only organisations within certain parts of the district were eligible. The maximum grant available to an organisation was normally £2,000 and grants were not normally given to organisations which received statutory core funding. The funds were generated from fines imposed on operators flying off track or using excessively noisy aircraft. Councillor Morgan reported that at a recent meeting 46 applications had been approved totalling £70,000. Two grants had been made to organisations within the Epping Forest District – Matching Green Cricket Club and Moreton Village Hall.

(d) West Essex Area Children's Trust Board

Councillor Wagland reported that the District Council had not been pursued by the County Council for refusing to enter into the agreement suggested by the County Council. She reported it was still not clear what the role of the District Councils would be under new structures which would see changes to the existing Children's Trust arrangements. Councillor Wagland pointed out that Essex Children's Services had again been designated unsatisfactory by Ofsted and concerns had been expressed about the lack of improvement being made. She drew attention to the District Council Task and Finish Panel which had been established and encouraged members to attend. She advised that the Trust Board continued to devote time to discussing strategies and structures with little attention being given to children.

76. EXCLUSION OF PUBLIC AND PRESS

The Chairman reported that there were no items to be considered in private session.

CHAIRMAN