

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council **Date:** 14 February 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.12 pm

Members Present: Councillors K Angold-Stephens (Chairman), B Rolfe (Vice-Chairman), K Avey, A Boyce, Mrs T Cochrane, R Cohen, Mrs D Collins, D Dodeja, C Finn, Mrs R Gadsby, P Gode, Mrs A Grigg, Ms J Hart, D Jacobs, Mrs S Jones, P Keska, J Knapman, Mrs J Lea, L Leonard, A Lion, J Markham, Mrs M McEwen, A Mitchell MBE, G Mohindra, J Philip, Mrs C Pond, B Sandler, Mrs M Sartin, Mrs P Smith, P Spencer, D Stallan, Mrs J Sutcliffe, H Ulkun, Mrs L Wagland, G Waller, Ms S Watson, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors R Barrett, R Bassett, W Breare-Hall, Ms R Brookes, K Chana, J Hart, D C Johnson, Ms Y Knight, R Morgan, S Murray, S Packford, W Pryor and Ms S Stavrou

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

107. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive 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.

108. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 13 December 2011 be taken as read and signed by the Chairman as correct record subject to the following:

- (a) deletion of the word "of" in the sub-heading of minute 98(h); and
- (b) substitution of the words "Council property or property managed by the Council" for the words "the Council's website and vehicle fleet" in that minute.

109. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Smith declared a personal interest in agenda item 15 (Joint Arrangements and External Organisations – Grange Farm Managing Trustees) by virtue of being a Council-

nominated member of the Trust and current Chairman of the Trust. The councillor advised that she had determined that her interest was prejudicial and that she would leave the meeting for the consideration of the matter.

(b) Pursuant to the Council's Staff Code of Conduct, Mr D Macnab, Acting Chief Executive declared a personal interest in agenda item 12 (Committee for the Appointment of a Chief Executive) by virtue of the references to him in that report. He advised that he had determined that his interest was prejudicial and that he would leave the meeting for the consideration and voting on the matter.

110. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) Introduction

The Chairman expressed belated Happy New Year wishes to members of the Council. He also reminded members that no refreshments would be provided after this meeting.

(ii) Attendance at Events

The Chairman reported on his attendance at the Epping Town Old People's Welfare Association Christmas lunch held at Pelly Court Epping on 14 December 2011.

The Chairman announced that the British Aerosol Manufactures had awarded a highly commended award to the Council for running the best Recycling Communication Campaign that included empty aerosols. He advised that he had attended a presentation of the award together with the Vice Chairman of the Council and the Environment Portfolio Holder.

The Chairman thanked members for attending the Civic Carol Service held at the Loughton Methodist Church on 16 December 2011.

The Chairman advised that in support of Operation Christmas Child (the world's largest Children's Christmas Project run by the Christian Charity, Samaritan's Purse), members and staff had donated in excess of 50 gift filled shoe boxes which had been sent to the Ukraine.

The Chairman reported that he had attended an excellent workshop learning how to make an animal lantern held at the Epping Forest District Museum to celebrate Chinese New Year. He also advised that the Vice-Chairman of the Council had attended a second workshop on this topic.

The Chairman advised that the quiz held in aid of his charity had raised £1,024. He thanked members and officers for their support and advised that the Planning Directorate's Grand Slammers team had won the event yet again. He praised the fancy dress of some of the teams.

The Chairman announced that the previous day he had attended the Epping Forest District Museum for the creation of a mosaic to commemorate the Museum's 30th Anniversary prior to it being installed in the Museum garden.

(iii) The Chairman's Charity

The Chairman announced that he would be participating in an abseil on 5 May 2012 and he invited members to sponsor him in aid of his charity. He drew attention to sponsorship forms which had been placed immediately outside of the Council Chamber.

The Chairman announced that arrangements were being made for a walk in Epping Forest in support of his charity to be led by Verderer and local historian, Richard Morris on 20 May 2012.

(iv) Localism Act 2011 – Housing Provisions

The Chairman announced that the training session for members on 28 February 2012 had been cancelled due to a lack of support. He drew attention to the provisions of the Act regarding housing and encouraged members to attend when the event was rescheduled.

(v) The Floral Display

The Chairman announced that he intended to send the flowers from tonight's meeting to Robert Daniels Court, Thrifts Mead, Theydon Bois.

(b) Announcements by the Leader of Council

The Leader advised that she had no announcements to make under this heading.

(c) Announcements by Portfolio Holders

The Portfolio Holders advised that they had no announcements to make under this heading.

111. PUBLIC QUESTIONS (IF ANY)

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

112. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Environment Portfolio Holder, the Finance and Economic Development Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning and Technology Portfolio Holder, the Safer, Greener and Highways Portfolio Holder, and the Support Services Portfolio Holder.

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

(a) Leader and Legal Portfolio Holder

Councillor Wagland reported that she had met Councillor Peter Martin, Leader and Joanna Killian, Chief Executive of Essex County Council to discuss a number of matters including highway repairs, children's commissioning, refuges for domestic abuse, locality boards and member liaison. She advised that the County Council would be submitting proposals on these issues and that there would be further meetings to pursue actions.

The Leader reported that she had attended a meeting of County Leaders and Chief Executives. Discussions had included the Integrated County Strategy under which the County Council was looking to set up a rolling fund of £20,000,000 over five years for priority projects aimed at generating economic growth within the county. Councillor Wagland advised that 36 projects had been identified to date and these included in West Essex, the Harlow Enterprise Zone and the regeneration of Harlow Town Centre. Members noted that these projects would be filtered down to a core number and that projects to be funded by the Local Enterprise Partnership would be excluded. Councillor Wagland advised that councils would not be expected to contribute to the fund unless they were to benefit directly from a project. The Leader advised that she had made it clear and it had been accepted that care would need to be taken in identifying benefit from the projects as for example in West Essex the Harlow projects were in competition with the Epping Forest economy in some respects.

The Leader advised that the meeting had also discussed the election of a Police and Crime Commissioner to replace the Police Authority under the Police Reform and Social Responsibility Act 2011. She informed the Council that the arrangements were aimed at making the Police more accountable to the community they served and that the Commissioner would set the Police precept, distribute the budget and commission services. Councillor Wagland reported that a Panel was to be set up for the county comprising 15 local authority members and two independent persons and this would have powers of veto over the budget and appointments made by the Commissioner. A Shadow Panel was due to be set up and discussions were taking place on the membership of that Panel.

Councillor Wagland reported that Essex was taking part in a pilot for community budgets with Essex being the only two tier local authority area taking part. The money available would be aimed at bringing together local public services for families with complex needs.

The Council noted that the County Leaders and Chief Executives meeting had also discussed the proposed changes to Council Tax Benefits. Concerns had been expressed about the possibility of these changes leading to an increase in homelessness and poverty. It had also been pointed out that the necessary computer software for the new system would probably not be available in time and that Tending District Council had already started to set up a manual system. Councillor Wagland advised that the Leader of the County Council had agreed to try and persuade local Members of Parliament to make representations about this unacceptable aspect.

Councillor Wagland informed the Council that she had met Eric Pickles, M.P., Secretary of State for Communities and Local Government, in relation to planning issues. She advised that he had confirmed that the transitional period for the preparation of Local Plans would be 18 months and that the National Planning Framework should be in place by April this year.

Councillor Wagland reported that the South East Local Enterprise Partnership had been awarded an additional £672,000 by Government making a total of approximately £33,000,000 funding for Growing Places. The initial list of proposed projects for funding included major infrastructure schemes such as the proposed junction 7A for the M11 and projects to overcome factors blocking business development that could not be resolved by local authorities or developers themselves.

The Leader reported that she had attended a meeting of the North London Strategic Alliance which was developing a prospectus for the M11 Corridor aimed at attracting inward investment.

Councillor Wagland advised that she had also attended a meeting of the West Essex Alliance whose new Chairman was to be Nick Barton of Stansted Airport with a new Vice-Chairman to be appointed from the business community. She informed the Council that the Alliance was concentrating on broadband coverage over West Essex to achieve high speed reliable broadband, business support schemes and schemes similar to this Council's One Shops Local, the website supporting local traders.

In relation to the legal part of her portfolio, Councillor Wagland reported that Legal Services had completed the contract with Sita for an extension of the Waste Collection Contract having addressed a number of potential pitfalls in the initial drafting. Councillor Wagland reported that Legal Services had instituted Health and Safety Prosecutions in accordance with advice from Leading Counsel regarding the unfortunate death of a child at a nursery at Buckhurst Hill. She also advised that during a period of one week, Legal Services with the assistance of Reprographics had produced 38 witness statements and 14 complete sets of papers which was an outstanding achievement. The Leader advised that the defence of litigation initiated by Search Agents was continuing to be met on a shared footing through the Local Government Association to avoid what would otherwise be a very expensive issue for individual authorities. The Leader advised that Legal Services were also supporting the Forward Planning Section in relation to the Local Plan process.

(b) Environment Portfolio Holder

Councillor Knapman, Environment Portfolio Holder, reported that he had been negotiating an Inter Authority Agreement on Waste Management with Essex County Council and had persuaded the County Council that a memorandum of understanding was not necessary. The understanding he had reached with the County Council was that if the County Council put money directly into the Epping Forest District, or if the District Council participated in a county-wide scheme, any savings should be shared on a 50/50 basis. However, if the District Council initiated a scheme itself it would keep 100% of any savings.

(c) Housing Portfolio Holder

Councillor McEwen, Housing Portfolio Holder, reported that following advice from the Housing Minister and the Chief Fire Officer of Essex County Fire and Rescue Service and the undertaking of a feasibility study into reducing the risk of fire in Council properties, the Housing Scrutiny Panel at its meeting in January 2012 had supported the Council's Fire Safety in Flat Blocks policy agreed by the former Housing Portfolio Holder in January 2010. She advised, however, that since that time a further letter had been received from the Chief Fire Officer which would require further discussion and the submission of a report to the next meeting of the Cabinet.

Councillor McEwen repeated the encouragement given earlier in the meeting by the Chairman of the Council for members to attend the rescheduled date for a presentation on the provisions of the Localism Act 2011 regarding housing. She pointed out that the Act introduced fundamental changes in relation to fixed tenancies, succession rules and eligibility for new and current housing applications.

(d) Planning and Economic Development Portfolio Holder

Councillor Phillip, Planning and Technology Portfolio Holder drew attention to an error in his written report. In relation to KPI 53 (Appeals Allowed – Members Reversal of Officer Recommendations) he pointed out that 7 of the 16 appeals had been dismissed and therefore 56% of appeals had been allowed.

The Portfolio Holder reported that advice had been obtained from Counsel in relation to the Council's approach to consultation in relation to the Local Plan. His advice was that whilst it would still be sound to proceed with two sets of consultation there would be a need to wait the results of the Strategic Land Assessment before commencing consultation. As a result the February/March 2012 timescale for consultation would be later but the submission of the new draft Local Plan to the Planning Inspectorate by 28 August 2013 would still be within the 18 month transitional period which had been reported earlier in this meeting. The Portfolio Holder advised that he was continuing to work with Forward Planning Officers in order to bring forward that date if possible.

The Portfolio Holder referred to the Disaster Recovery and District Wide Broadband Project in his written report and advised that this would enable residents of the district to be offered a wireless broadband solution covering areas not currently receiving broadband. The installation cost was likely be approximately £140 and the monthly fee was likely to be approximately £12.50 making the scheme competitive with current broadband suppliers.

Councillor Phillip referred to his role on the Local Enterprise Working Group on Broadband and stated that an aim was for broadband to be placed on the same footing as gas and electricity supplies and provided in new properties at the design stage.

(e) Finance and Economic Development

Councillor Mohindra, Finance and Economic Development Portfolio Holder, advised that officers in consultation with the Chairman of the District Development Control Committee had convened a special meeting of that Committee to consider the planning application for the redevelopment of the Langston Road Depot and the adjoining T11 site, Loughton. It was noted the meeting was to be held on 27 February 2012.

(f) Leisure and Wellbeing Portfolio Holder

Councillor Gadsby, Leisure and Wellbeing Portfolio Holder, reminded members that the new Limes Centre at Limes Farm, Chigwell would be formally opened on Monday 20 February 2012 and she invited members to attend between 3 p.m. and 6.45 p.m. on that day to view the facilities and some of the activities that would be available.

113. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Buckhurst Hill Parking Review**

Councillor Spencer asked the Safer, Greener and Highways Portfolio Holder if the Buckhurst Hill Parking Review would commence in April 2012 and, if so, when residents would be consulted.

Councillor Smith, Safer, Greener and Highways Portfolio Holder stated that the Buckhurst Hill Parking Review would be progressed but she was unable to specify when it would commence. She said she was continuing to work with officers on gathering information and she confirmed that she would be consulting ward members on the content of consultation documents before they were agreed.

(b) Ongar and Epping Leisure Centres – Upgraded Fitness Suites

Councillor Grigg referred to the written report of the Leisure and Wellbeing Portfolio Holder regarding the opening of the upgraded fitness suites. She asked the Leisure and Wellbeing Portfolio Holder how much capital had been provided by the Council for the purchase of the equipment and by how much the annual review management fees for the two centres had been discounted.

Councillor Gadsby, Leisure and Wellbeing Portfolio Holder, advised that the annual revenue and management fee for the Loughton Leisure Centre had been reduced by £100,000 and that the fees for the Epping and Ongar Leisure Centres had been reduced by £50,000. She suggested therefore that an investment of £930,000 had represented a positive and sensible use of the Council's capital.

(c) Benefits Revenues

Councillor Jenny Hart referred to the proposed welfare reforms and asked the Finance and Economic Development Portfolio Holder if he agreed that, having regard to the fact that senior citizens would be excluded from the 10% deficit being passed onto the Council for Council Tax Benefit payments, it would be unfair for the remaining claimants to bear the full cost of the 10% loss. She also drew attention to the proposed increase in rents for Council properties.

Councillor Mohindra, Finance and Economic Development Portfolio Holder stated that he shared the concerns being expressed about the various welfare reforms. He said that he was continuing to work with other authorities throughout Essex in order to ensure that a consistent approach was adopted. In relation to the proposed rent increase he pointed out that the proposed increase was less than the amount recommended by Government.

(d) Local Highways Panel

Councillor Sutcliffe referred to the apparent lack of plans to revive the Local Highways Panel. In the light of this she asked the Safer, Greener and Highways Portfolio Holder how councillors could be kept informed of highways decisions affecting their wards, what progress was being made in relation to the list of works previously agreed by the Panel and when the ranger service would operate in various wards. She also asked if there were any plans to invite the County Council Portfolio Holder to address District Council Members on future proposals.

Councillor Smith, Safer, Greener and Highways Portfolio Holder stated that she would shortly report on the progress of highways schemes being carried forward. She said that she attended regular meetings with the North Essex Parking Partnership and with West Essex Area Highways officers. She said that in within the next three to four weeks she expected to be in a position to bring forward a list of projects for discussion with members. In relation to rangers they were available to undertake minor highway works and a request for such works should be made to the West Essex Area Highways Office. Any requests should include the word "rangers" in the subject heading to enable such requests to be progressed expeditiously. Councillor Smith confirmed she was willing to meet ward members to discuss their

local issues as and when they arose and she invited Councillor Sutcliffe to contact her if she had concerns regarding any specific issues.

(e) Roding Valley Lake

Councillor Wixley referred to the written report of the Environment Portfolio Holder regarding the recovery of the Roding Valley Lake. He thanked the Portfolio Holder and the others involved for the steps they had taken and were taking in relation to this matter.

Councillor Knapman, Environment Portfolio Holder, thanked Councillor Wixley for his remarks.

(f) North Weald Airfield – Possible Relocation of Refuse Freighters

Councillor Stallan stated that at the recent North Weald Airfield and Asset Management Cabinet Committee an officer had mentioned the storage of inert waste in relation to the possible relocation of the refuse freighters to the Airfield. He stated that it was his understanding that the storage of inert waste was not part of any proposals and he sought the assurance of the Environment Portfolio Holder that this issue was not being considered.

Councillor Knapman, Environment Portfolio Holder stated that members were well aware of his reservations about the use of North Weald Airfield for the relocation of the refuse freighters. He said that he would meet officers in order to clarify what had been said at the meeting and that he would respond to Councillor Stallan after that meeting.

(g) Portas Retail Report

Councillor J H Whitehouse asked the Finance and Economic Development Portfolio Holder if he had any plans to consider how the recommendations contained within the Portas Report could benefit the Epping Forest District.

Councillor Mohindra, Finance and Economic Development Portfolio Holder advised that he would shortly be meeting with representatives of other Essex Authorities about this issue and that he would be submitting a report after that meeting.

114. MOTIONS

The Chairman reported that there were no motions to be considered at this meeting.

115. QUESTIONS BY MEMBERS UNDER NOTICE

The Chairman reported there were no questions by members under notice to be considered at this meeting.

116. REPORTS OF THE CABINET

(a) Capital Strategy

Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder

Councillor Mohindra reported that this year the Capital Strategy had focussed on current capital schemes and investment plans to 2015/16. It also had identified partnership arrangements with other councils and organisations, which aimed to enhance the Capital Programme, and set out funding approved to date, having regard to forecast income generation. Councillor Mohindra also reported that the Cabinet had reassessed the Key Priorities and had reviewed the ranking of each priority in order of strategic importance for the district, having regard to the contribution that each one made to the achievement of relevant corporate aims.

Report as first moved ADOPTED

RESOLVED:

That the Capital Strategy attached to the report of the Cabinet be approved.

(b) Key Objectives 2012/13

Mover: Councillor Wagland, Leader and Legal Portfolio Holder

Councillor Wagland submitted a report on the Council's Key Objectives for each of the four years to 2014/15. She pointed out that the Key Objectives had also been considered and agreed at a joint Cabinet and Management Board meeting and by the Overview and Scrutiny Committee. The Council noted that once adopted, the Key Objectives would be published on the Council's website as an update to the Corporate Plan 2011/12 – 2014/15.

Report as first moved ADOPTED

RESOLVED:

That the Key Objectives for 2012/13 attached to the report of the Cabinet be agreed.

(c) Treasury Management Strategy Statement and Investment Strategy 2012/15

Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder

Councillor Mohindra submitted a report on the Council's Treasury and Investment Strategy and Prudential Indicators.

Councillor Watts, Chairman of the Audit and Governance Committee advised that the documents had been considered at a meeting of that Committee on 9 February 2012 and the recommendations of the Cabinet had been supported. However, concern had been expressed that the Government appeared to have reserved the right to come back for another tranche in relation to the payment regime for the building of houses.

Councillor Mohindra acknowledged that the Government had reserved this right and pointed out that in discussion with officers it had been agreed that it would be very difficult if this aspect was to be revisited. Councillor Mohindra thanked Councillor Watts and the Audit and Governance Committee for their support.

Report as first moved ADOPTED

RESOLVED:

(1) That the following documents attached to the report of the Cabinet be adopted:

(a) Treasury Management Strategy Statement and Annual Investment Strategy 2012/13 to 2014/15;

(b) Minimum Revenue Provision (MRP) Statement;

(c) Treasury Management Prudential Indicators for 2012/13 to 2014/15; and

(d) Treasury Management Policy Statement; and

(2) That the use of the average interest earned for the year on the Council's investments as the rate of interest to be applied to any inter-fund borrowing between the General Fund and the Housing Revenue Account be approved.

(d) Budgets and Council Tax Declaration 2012/13**Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder**

The Portfolio Holder submitted a report regarding Budgets and Council Tax Declaration for 2012/13.

Councillor Mohindra referred to the budget process which had included detailed consideration at a joint meeting of the Finance and Performance Management Cabinet Committee and the Finance and Performance Management Scrutiny Panel. In the light of that detailed consideration he advised that he did not intend to speak in detail on the various items within the budget.

He pointed out that the Localism Act 2011 had made provision for Council Tax referendums to be held if an authority increased its Council Tax by an amount exceeding principles determined by the Secretary of State and agreed by Parliament. He drew attention to the tabled supplementary report which indicated that the proposed amount of Council Tax being unchanged from 2011/12 was not excessive and therefore there was no need to hold a local referendum.

Councillor Mohindra reported that the Cabinet had given detailed consideration to the proposed rent increase at its meeting in December and that the proposed average increase of 6% was the lowest possible. The Portfolio Holder drew attention to the section of the Cabinet report regarding the self financing for the Housing Revenue Account. He also drew attention to the section regarding the New Homes Bonus.

Councillor Mohindra reported that the Cabinet was proposing that the Council's policy of retaining revenue balances at no lower than £4,000,000 or 25% of the net budget requirement whichever was the higher for the four year period to 2014/15 be amended to no lower than £4,000,000 or 25% of the net budget requirement whichever was the higher during the four year period up to and including 2015/16.

The Portfolio Holder drew attention to the section of the report regarding the localisation of Council Tax Benefit and emphasised the challenges this would present to the Council.

In summary Councillor Mohindra advised that whilst the Council was making good progress in relation to its finances there was still much work to be done in future years and there would be a need to take difficult decisions.

The Portfolio Holder expressed his thanks to fellow Portfolio Holders and Officers for their input into the proposals before the Council.

The Chairman pointed out that in discussing this item members needed to be aware that the proposals of the Cabinet had assumed that the recommendations in item 17 (Report of the Cabinet – Supplementary Estimate and Reduced Capital Receipt – North Weald Airfield Market Operator - Private Session) to be considered later in the meeting would be adopted.

Councillor Mohindra answered questions raised by members of the Council.

Report as first moved ADOPTED

RESOLVED:

- (1) That the list of CSB growth and savings for the 2012/13 budget (set out in Annex 1 attached) be approved;
- (2) That the list of District Development Fund items for the 2012/13 budget (set out in Annex 2 attached) be approved;
- (3) That the revenue estimates for 2012/13 and the draft Capital Programme for 2012/13 be approved as set out in Annexes 3, 4 (a-i) and 5 attached including all contributions to and from reserves as set out in the attached Annexes;
- (4) That the medium term financial forecast be approved as set out in Annexes 8 a and 8 b attached;
- (5) That the 2012/13 HRA budget be approved and that the application of rent increases and decreases resulting in an average increase of 6.0% from £82.19 to £87.15, be approved;
- (6) That the Council's policy of retaining revenue balances at no lower than £4.0M or 25% of the net budget requirement whichever is the higher for the four year period to 2014/15 be amended to no lower than £4.0M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2015/16;
- (7) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2012/13 budgets and the adequacy of the reserves (Annex 9 attached) be noted;

Declaration of Council Tax

- (8) That it be noted that on 2 December 2011, the Finance and Economic Development Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee calculated the Council Tax Base 2012/13:
 - (a) for the whole Council area as 54,900.8 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended); and

- (b) for dwellings in those parts of its area to which a Parish precept relates as set out below and in Annex 6 attached

	Tax Base
Abbess, Beauchamp & Berners Roding	212.9
Buckhurst Hill	5,311.4
Chigwell	5,996.9
Epping Town	5,179.1
Epping Upland	416.1
Fyfield	421.2
High Ongar	576.0
Lambourne	931.1
Loughton Town	13,077.4
Matching	446.4
Moreton, Bobbingworth and The Lavers	572.4
Nazeing	2,108.6
North Weald Bassett	2,646.4
Ongar	2,782.6
Roydon	1,322.7
Sheering	1,361.9
Stanford Rivers	359.0
Stapleford Abbots	518.2
Stapleford Tawney	74.6
Theydon Bois	2,019.4
Theydon Garnon	67.4
Theydon Mount	112.0
Waltham Abbey Town	8,140.0
Willingale	247.1

(9) That the following amounts be calculated for the year 2012/13 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:

- (a) £130,286,737 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
- (b) £118,952,358 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
- (c) £11,334,379 being the amount by which the aggregate at 9 (a) above exceeds the aggregate at 9 (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
- (d) £206.45 being the amount at 9 (c) above (Item R), all divided by Item T (the amount at 8 (a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- (e) £3,166,787 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Annex 6);

- (f) £148.77 being the amount at 9 (d) above less the result given by dividing the amount at 9 (e) above by Item T (8 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

(10) That it be noted that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the category of dwellings in the Council's area as shown in Annex 7 (attached);

(11) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in Annex 7 Part B (attached) as the amounts of Council Tax for 2012/13 for each part of its area and for each of the categories of dwellings;

(12) That in accordance with Section 52ZB of the Local Government Finance Act 1992, the Council determines that the amount of Council Tax shown at (9)(f) of £148.77 for 2012/13, being unchanged from 2011/12 is not excessive and therefore there is no need to hold a local referendum.

117. OVERVIEW AND SCRUTINY

(a) Report of the Chairman of the Overview and Scrutiny Committee

The Committee received a written report from the Chairman of the Overview and Scrutiny Committee.

In the absence of the Chairman of the Committee, Councillor Wixley, Vice-Chairman of the Committee drew attention to the Joint Overview and Scrutiny training being arranged with Harlow District Council on 15 and 29 March 2012. He encouraged members of the Overview and Scrutiny Committee, Standing Panels and Task and Finish Panels and others having an interest in scrutiny to attend.

(b) Reports of the Overview and Scrutiny Committee

The Chairman announced that there were no reports to be considered under this item.

(c) Reports of Overview and Scrutiny Panels

(i) Senior Recruitment Task and Finish Panel

Mover: Councillor Angold-Stephens, Chairman of the Panel

Councillor Angold-Stephens submitted a report of the Panel following a review of the procedures for the reporting of complex and sensitive contracts to members.

Councillor Watts drew attention to the need for the Audit and Governance Committee to consider the report and stated that the Committee would receive the report at its next meeting. He accepted that decisions taken by the Council in relation to the report would not be subject to the views of that Committee.

Report as first moved ADOPTED**RESOLVED:**

- (1) That the flow chart attached as Appendix 1 to the report of the Panel and the guidance note attached as Appendix 2 to the report of the Panel be approved for use in future senior recruitment exercises to provide a framework within which the Appointments Panel can work;
- (2) That the process should only apply to Chief Executive; Deputy Chief Executive; Directors; Assistant to the Chief Executive and the three statutory officers;
- (3) That delegation to the Appointments Panel be carefully drafted and to be clear about the extent of powers to recommend to Council any contract variations, appointment, short/long listing etc;
- (4) That reports to members be made in the standard template giving all relevant information which will include financial implications; risk assessments and advice from statutory officers;
- (5) That specialist legal advice be made to members through the Public Law Partnership and Human Resources advice through VINE or another appropriate body and budgeted for by Council;
- (6) That an evaluation process be carried out as a matter of course after each senior recruitment event and reported to the Overview and Scrutiny Committee;
- (7) That after the conclusion of the current exercise, the Officer Employment Procedure Rules be redrafted to:
 - (i) incorporate the applicability of Section 4 to the Statutory Officer position;
 - (ii) include more detail of the objection to the appointment process set out in the Constitution; and
 - (iii) consider its ongoing appropriateness;
- (8) That the suggestion that the Constitution and Member Services Scrutiny Panel should undertake the task referred to in (7) above be approved;
- (9) That the Committee for the Appointment of a Chief Executive be asked to consider the following issues specific to the post of the Chief Executive;
 - (a) clear and measurable performance management and supervision arrangements;
 - (b) ensuring those undertaking performance management and supervision to have undertaken appropriate training and to have access to advice; and authority from Council to undertake this role; and

(c) whether there should be any process put in place for dealing with employment issues short of formal dispute; and

(10) That the new arrangements be reviewed after one year of operation and thereafter annually.

118. COMMITTEE FOR THE APPOINTMENT OF A CHIEF EXECUTIVE

Mover: Councillor J M Whitehouse, Chairman of the Committee

Councillor Whitehouse submitted a report on the role of the Committee in co-ordinating the recruitment process for the vacant post of Chief Executive. He advised that the Committee had accepted the recommendations of the Senior Recruitment Task and Finish Panel relating to post of Chief Executive. He stated that reference to paragraphs 4.9(i)-(iii) in recommendation 2 of the report of the Committee should read "paragraphs 4.8(i)-(iii)".

Report as amended ADOPTED

RESOLVED:

(1) That the action taken by the Committee as outlined in its report be noted; and

(2) That the terms of reference of this Committee be amended to include paragraphs 4.8(i)-(iii) of the report of the Task and Finish Scrutiny Panel on Senior Recruitment reported to the Council under the previous item.

119. POLICE AND CRIME COMMISSIONER ELECTION

The Council was advised that Mr S Packham, Chief Executive of Chelmsford Borough Council, had been appointed as Police Area Returning Officer (PARO) for Essex for the Police and Crime Commissioner Election to be held on 15 November 2012.

Members noted that the Police Reform and Social Responsibility Act 2011 provided that PARO's would be assisted in the discharge of their duties by Local Returning Officers who were defined as Returning Officers for any local elections. Accordingly, the Council was asked to confirm the appointment of Mr I Willett, Assistant to the Chief Executive, as a Local Returning Officer.

RESOLVED:

(1) That Mr I Willett, Assistant to the Chief Executive, be appointed as Local Returning Officer for the Police and Crime Commissioner Election to be held on 15 November 2012;

(2) That the entitlement of the Local Returning Officer to be remunerated in accordance with the relevant scale of fees prescribed by a Fees Order and on a superannuable basis under Council minute 115 -19 April 2015 be noted;

(3) That confirmation from the Council's insurers that the existing insurance indemnifying the Returning Officer will provide cover against legal expenses reasonably incurred in connection with the role of the Local Returning Officer for this election for the defence of any proceedings brought for contravention of the legislation or an accidental breach of any

other duty by him or any other person employed by or officially acting for him be noted; and

(4) That such insurance carrying an “excess” clause by which an initial portion of risk is not insured will through the Council’s Internal Insurance Fund or otherwise, indemnify the Local Returning Officer up to the value of such excess be noted.

120. DECISIONS TAKEN BY THE LEADER OF COUNCIL

The Council noted the following decisions taken by the Leader of Council.

(a) Review of Staff Car Leasing Scheme

Decisions:

- (1) To appoint Councillor J Knapman (Portfolio Holder for Environment) and Councillor J Wyatt (Portfolio Holder for Support Services) jointly to carry out a review of the present staff car leasing scheme;
- (2) To determine that the terms of reference for this review should be as follows:
 - (a) to review and reduce the cost to the Council of the current scheme;
 - (b) to review the report of the officer working party submitted to the Management Board on 28 September 2011, including:
 - staff eligibility;
 - vehicle arrangements;
 - alternative schemes designed to reduce costs;
 - financial contributions by staff under the scheme;
 - (c) to consider arrangements for consulting staff and union representatives;
 - (d) to consider any changes to staff contracts of employment, taking account of recent legal advice;
 - (e) to consider any impact on staff working arrangements arising from new car leasing arrangements; and
 - (f) to consider compensation arrangements appropriate to changes to the scheme.
- (3) To undertake, pursuant to (2) above:
 - (a) discussions with the officer working party on the options for altering the scheme;
 - (b) attendance at the relevant Joint Consultative Committee as part of the consultation arrangements;

- (c) liaison with the officer working party in preparing a report and recommendations for consideration by the Cabinet; and
- (4) To present a report to the Cabinet on the review of the scheme no later than the Cabinet meeting on 6 June 2012.

(b) Local Development Framework Cabinet Committee

Decisions:

- (1) To amend the title of this Committee to read "Local Plan Cabinet Committee".
- (2) To appoint Councillor J Philip (Planning and Technology Portfolio Holder) to be the Chairman of the Committee.

121. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) Grange Farm Managing Trustees

Pursuant to the Council's Code of Member Conduct, Councillor Gadsby declared a personal interest in this item by virtue of her husband being the Clerk and Solicitor to the Trust. The Councillor advised that she had determined that her interest was prejudicial and that she would leave the meeting for the consideration of the matter.

Pursuant to the Council's Code of Member Conduct, Councillor Webster declared a personal interest in this item by virtue of being a Trustee nominated by Essex County Council. The Councillor advised that she had determined that her interest was not prejudicial and that she would remain in the meeting for the consideration of the matter.

The Council received a written report from Councillors Smith and Johnson in relation to the investment income of and grants approved by the Grange Farm Centre Trust.

RESOLVED:

- (1) That the Trustees be advised of the Council's concern that the assets of the Trust appear to be increasing but the amount of grants awarded appears to be considerably less than the yearly investment income of the Trust;
- (2) That in the light of (1) above, the Trustees be urged to review their arrangements for advertising the availability of grants with a view to receiving more applications and awarding more grants;
- (3) That the Trustees be requested to review their form of annual report with a view to it more closely reflecting the form currently recommended by the Charity Commissioners including a much more detailed analysis of the delivery of public benefit and a more detailed list of the grant applications made and the outcomes of those applications;

(3) That if it is not considered necessary to include a more detailed list of the grant applications made and the outcomes of those applications in the annual report, this information be supplied separately to the Council each year; and

(4) That the Trustees be requested to provide the Council with a breakdown of the Trust's Restricted Reserves.

122. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraph Part 1 of the Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

Agenda Item No	Subject	Exempt Information Paragraph Number
17	Report of the Cabinet – Supplementary Estimate and Reduced Capital Receipt – North Weald Airfield Market Operator	3

123. REPORT OF THE CABINET - SUPPLEMENTARY ESTIMATE AND REDUCED CAPITAL RECEIPT - NORTH WEALD AIRFIELD MARKET OPERATOR

Mover: Councillor Mohindra, Finance and Economic Development Portfolio Holder

Councillor Mohindra submitted a report seeking a District Development Fund supplementary estimate and proposing a reduction in a Capital Receipt.

Report as first moved ADOPTED

RESOLVED:

That a District Development Fund (DDF) supplementary estimate and a reduction in a Capital Receipt for 2011/12 and DDF provision and a reduction in a Capital Receipt for 2012/13 for the amounts set out in the report of the Cabinet be approved in order to meet the cost of a reduction in the licence fee and infrastructure charge payable by the market operator during the current and next financial years.

CHAIRMAN