

## EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

**Committee:** Council **Date:** 19 February 2013

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 10.20 pm

**Members Present:** Councillors B Rolfe (Chairman), Mrs M Sartin (Vice-Chairman), K Angold-Stephens, K Avey, R Bassett, A Boyce, Mrs H Brady, W Breare-Hall, G Chambers, K Chana, Mrs T Cochrane, R Cohen, Mrs R Gadsby, L Girling, Mrs A Grigg, D Jacobs, Mrs S Jones, Ms H Kane, P Keska, J Knapman, Mrs J Lea, L Leonard, Mrs M McEwen, J Markham, G Mohindra, R Morgan, S Murray, J Philip, Mrs C Pond, B Sandler, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, Mrs T Thomas, Mrs L Wagland, G Waller, Ms S Watson, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley, N Wright and J Wyatt

**Apologies:** Councillors T Church, C Finn, P Gode, J Hart, Ms J Hart, Ms Y Knight, A Lion, H Mann, A Mitchell MBE and H Ulkun

**Officers Present:** G Chipp (Chief Executive), D Macnab (Deputy 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)), A Hendry (Democratic Services Officer), P Seager (Chairman's Secretary) and T Carne (Public Relations and Marketing Officer)

**Also Present:** Ms R Kelly and S Lye (Members of the District Remuneration Panel)

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### 93. 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.

### 94. MINUTES

**RESOLVED:**

That the minutes of the meeting held on 18 December 2012 be taken as read and signed by the Chairman as a correct record.

### 95. DECLARATIONS OF INTEREST

(a) Councillor Stavrou advised that as the Portfolio Holder for Finance and Technology it was her responsibility to present the Budget 2013/14 (agenda item 12). She pointed out that there were three items in the draft budget in which she had a non-pecuniary interest:

- (i) funds held by the Council in respect of the Lidl supermarket development from which the Waltham Abbey Town Council of which she was a member would be able to apply for schemes in Waltham Abbey;
- (ii) funding support for the Epping Forest Community Transport Scheme of which she was a trustee; and
- (iii) funding support for the Epping Forest Furniture Scheme for which she was a trustee designate.

Councillor Stavrou stated that she intended to present the entire budget and would withdraw from the meeting during the debate only if the Council wished to discuss any of the three items outlined by her in which case those matters would be dealt with by the Leader of the Council in her absence.

(b) Pursuant to the Council's Code of Member Contact, Councillor McEwen declared a pecuniary interest in agenda item 20(a)(ii) (Grange Farm Centre Trust – Trustees Annual Report and Accounts) by virtue of being a Trustee of the Grange Farm Trust. The Councillor stated that in accordance with Paragraph 10 of the Code of Conduct she considered the interest to also be a disclosable pecuniary interest and she would therefore leave the meeting for the consideration of that item.

(c) Pursuant to the Council's Code of Member Conduct, Councillor Smith declared a pecuniary interest in agenda item 20(a)(ii) (Grange Farm Centre Trust – Trustees Annual Report and Accounts) by virtue of being a Chairman and Trustee of the Grange Farm Trust. The Councillor stated that in accordance with Paragraph 10 of the Code of Conduct she considered the interest to also be a disclosable pecuniary interest and she would therefore leave the meeting for the consideration of that item.

(d) Pursuant to the Council's Code of Member Conduct, Councillor Gadsby declared a disclosable pecuniary interest in agenda item 20(a)(ii) Grange Farm Centre Trust – Trustees Annual Report on Accounts). The Councillor stated that she would leave the meeting for the consideration of that item.

(e) Pursuant to the Council's Code of Member Conduct, Councillor J H Whitehouse advised that as a Trustee of the Furniture Scheme for the current year, if there was any discussion on the scheme as part of the consideration of item 12 (Report of the Cabinet – Budgets and Council Tax Declaration 2013/14) she would leave the meeting for the consideration and voting on that matter.

## 96. ANNOUNCEMENTS

### (a) Chairman's Announcements

#### (i) Peter Harrison QC

The Chairman stated with great sadness that he had to announce the recent sudden death of Peter Harrison QC who had represented this Council to the highest standards in various venues over many years. The Chairman invited the Director of Corporate Support Services and the Council's Solicitor to advise members of some of the work Peter Harrison had undertaken for the Council.

Miss C O'Boyle advised that a funeral service to celebrate Peter's life had been held on 11 February 2012 and she had represented the Council together with the Director of Planning and Economic Development.

She reported that the cases that Peter Harrison had worked on for the Council included planning issues at Rosedene, Magdalen Laver; the Northern Gateway Access Way Inquiry in 1999 and advice on the London Borough of Enfield's latest consultations of that proposed link road; and an Ombudsman case in relation to Galley Hill Yard, Waltham Abbey.

Miss O'Boyle also advised that Peter had delivered a number of training courses to both members and officers.

**(ii) Civic Awards Dinner**

The Chairman asked those members who had not yet responded to the invitation to do so without delay so that the arrangements could be finalised.

**(iii) Refreshments**

The Chairman advised that it was customary not to provide refreshments after the Budget and Council Tax setting meeting each year as in the past these meetings had tended to last several hours. He stated, however, that after this evening's meeting light refreshments would be available.

**(iv) Events**

The Chairman reported that on 31 January 2013 he had attended a memorial service in Chelmsford Cathedral organised by Essex County Council to remember those who had lost their lives in the East Coast Floods of 1953 when Canvey Island had been devastated. He advised that the service had been attended by HRH The Princess Royal who had read the lesson in what had been a very emotional event. The Chairman stated that possibly the most moving part of the service for him had been an address by a Canvey Island Parish Councillor who had recounted his experiences on that night 60 years ago when he had been a 10 year old boy.

The Chairman thanked members for supporting the quiz held on 8 February 2013 in aid of his charity. The meeting noted that the event had raised £1,066. The Chairman thanked the officers who had organised and assisted on the evening, especially the quiz masters Ian Willett and Ian White.

**(v) Floral Display**

The Chairman announced that he intended to send flowers from tonight's meeting to Honey Tree Court in Loughton.

**(b) Announcements by the Leader of the Council**

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

**(c) Announcements by Portfolio Holders**

**(i) Housing Portfolio Holder**

**(aa) Telecare**

Councillor Stallan, Housing Portfolio Holder, drew attention to the future of the Epping Forest Careline in the light of Essex County Council's proposals for a County-wide Telecare Contract. He advised that the District Council currently received a proportion of the funding for Epping Forest Careline from the County Council which also provided disbursed alarm equipment free of charge.

The meeting noted that the intention of the County Council was to procure a contract for County-wide provision of Telecare Services via one provider following a competitive tendering exercise.

Councillor Stallan advised that discussions had taken place between County Council officers and officers of those authorities in the County currently providing the services themselves to discuss the possibility of a negotiated agreement to provide consistent services across the County with lower charges and less grant funding. However, the County Council had stated that it proposed to proceed to tender the service.

The Portfolio Holder continued that the County Council's preferred option was to use a Government Framework Agreement for the proposed contract and as a result none of the current providers would be able to bid. The County Council had suggested that if all the Essex Telecare Providers agreed to submit a tender for a County-wide service either in their own right or through a consortium it might decide to have an open tender rather than follow the Government Framework Agreement route. Councillor Stallan advised that he proposed to submit a detailed report on the matter to the Cabinet in April if this option was made available. He stated that he would also be submitting a report to that meeting on the implications of the County Council decision.

**(bb) Tolpuddle House, Ongar**

Councillor Stallan reported that one of the Council's preferred Housing Association partners, East Thames had been shortlisted as a finalist in the Chartered Institute of Housing's UK Housing Awards for its new development at Tolpuddle House, Ongar.

The Portfolio Holder advised that Tolpuddle House comprised nine self contained flats for young people with learning difficulties with support provided by East Thames to help the residents live independently. He added that it was part of a larger development at the Zinc Arts Centre which provided a new arts facility together with short stay residential accommodation. Councillor Stallan wished East Thames every success at the Awards Ceremony on 16 April 2013.

**97. PUBLIC QUESTIONS (IF ANY)**

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

**98. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET**

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

received a supplement to the report of the Asset Management and Economic Development Portfolio Holder.

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

**(a) The Leader of the Council**

Councillor Whitbread reported that together with the Planning Portfolio Holder he had attended both of the Local Plan Workshops which had been held. He stated that he had also met two of the local Members of Parliament, Eleanor Laing and Robert Halfon to discuss the Local Plan.

The Leader advised that he had attended events to support the local economy, the launch of the Waltham Abbey Media Pack and the Tourism Summit both of which had been well attended.

Councillor Whitbread said that he had met Greg Clark, Chairman of the London Stansted Corridor Consortium which was a private sector led partnership bringing together key business representatives and local authorities along the M11/Lee Valley Corridor. The Leader stated that he had also attended a meeting at which the future plans for Stansted Airport had been discussed.

The Council noted that later in the week the Annual Local Strategic Partnership Stakeholder Conference concentrating on young people would be held and over 100 delegates were expected. Councillor Whitbread pointed out that the Youth Council would be involved and he also drew attention to a transport survey undertaken by the Youth Council which it would seek to submit to a future meeting of the Overview and Scrutiny Committee.

The Leader thanked the Housing Portfolio Holder for keeping the Council informed about the future of the Council's Careline Service.

**(b) Safer, Greener and Highways Portfolio Holder**

Councillor Waller, Safer, Greener and Highways Portfolio Holder updated members about the Domestic Homicide Review to which he had referred in his written report. He advised that Domestic Homicide Reviews were conducted under a fairly new statutory procedure in order to make sure that lessons were learned when a person had been killed as a result of domestic violence.

Councillor Waller explained that as Chairman of the Epping Forest Community Safety Partnership he had set up a Domestic Homicide Review following the death last year of Gillian Andrade of Buckhurst Hill. He stated that the previous Friday, Daniel Hodges of Loughton had pleaded guilty to murder and had been sentenced to life imprisonment to serve a minimum term of 17½ years. The Portfolio Holder advised that now the court proceedings had been completed, the Panel chaired by Mrs Ann Haigh would be able to contact parties which could not previously be approached in case of a trial. Councillor Waller stated that he was confident the Panel would produce a valuable report which might help to make a difference in future cases involving domestic abuse.

**99. QUESTIONS BY MEMBERS WITHOUT NOTICE**

**(a) Buckhurst Hill Parking Review**

Councillor Watson referred to the written report of the Safer, Greener and Highways Portfolio Holder regarding the Buckhurst Hill Parking Review. She stated that residents in Buckhurst Hill had waited a long time for this review and she asked the Portfolio Holder for an update of the programme and the timescales for undertaking the review.

Councillor Waller, Safer, Greener and Highways Portfolio Holder referred to a meeting held with Buckhurst Hill members which had resulted in valuable work being undertaken consulting residents about the needs of the area. Councillor Waller advised that all of the information received had been passed to the Traffic Management Team at Essex Highways who had been contracted to implement the scheme. The Portfolio Holder emphasised that this review would be focusing on particular areas rather than the whole of Buckhurst Hill. Councillor Waller advised that although the District Council was paying for the scheme it was the County Council which would determine timescales and he could not therefore be precise as he would wish. He continued that the County Council would prepare a project plan which would be submitted to the District Council with proposals, time lines and a break down of the costs. He advised that at that time he proposed to call a further meeting of Buckhurst Hill councillors for their views and that this would be followed by advertising the scheme to meet statutory requirements and further consultation with local residents. The Portfolio Holder expressed the hope that further consultation would be brief so that the scheme could be delivered as soon as possible.

**(b) Initiatives and Rough Sleepers**

Councillor Murray asked which of the initiatives summarised in the Housing Portfolio Holder's written report was he most proud. He also asked if the Portfolio Holder agreed that rough sleepers should on occasions be referred to the nearest shelter in London rather than Chelmsford or Colchester.

Councillor Stallan, Housing Portfolio Holder stated that in his opinion the commencement of a Council House Building Programme for the District was the most important initiative as it has been over 20 years since the last Council dwelling had been built in this District. In relation to rough sleepers he advised that the first indication he had received of the procedure had been when he had received e-mails from members about what was being done. He said he was aware that the Council only dealt with the Chelmsford and Colchester shelters and would speak to officers about the possibility of using the shelters in London bearing in mind that the Council made grants to those in Chelmsford and Colchester. He said he would submit a report to a future meeting if necessary.

**(c) Cross Rail 2**

Councillor Angold-Stephens referred to the written report of the Planning Portfolio Holder regarding Cross Rail 2. He stated that the londonfirst.co.uk website quoted congestion on the Central Line as being 3/4 standing between Leytonstone Station and Mile End Station and 2/3 between Woodford Station and Leytonstone Station during rush hours. He questioned where these statistics had come from as in his opinion they totally under-estimated congestion on the line at almost any time of day. To support his view he stated that the carriage in which he had been travelling the previous week at 10.30 p.m. had over 30 people standing. He invited the Planning Portfolio Holder to make the strongest representations possible to the Mayor of London and to the current consultation process about the erroneous statistics which

had led to the abandonment of the Leytonstone/Epping route. He suggested that without further upgrade to the transport route there was a possibility of additional housing provision along the Central Line corridor and possibly the M11 corridor being compromised in the long term.

Councillor Bassett, Planning Portfolio Holder, stated that he had taken the statements from the Cross Rail 2 – Supporting London's Growth Report. He said he would be happy to query the figures if Councillor Angold-Stephens provided him with the relevant information.

**(d) Careline**

Councillor Lea stated that the Council's Careline Service was excellent. She asked the Housing Portfolio Holder if he would endeavour to make sure that the same standard of service was maintained under any new arrangements.

Councillor Stallan, Housing Portfolio Holder stated that there were County Councillors present at this meeting and they would no doubt take this message back to County Hall.

**(e) Buckhurst Hill Parking Review**

Councillor Spencer asked the Safer, Greener and Highways Portfolio Holder if he would include the time frame for this review in the Council Bulletin so that councillors could inform local residents.

Councillor Waller, Safer, Greener and Highways Portfolio Holder referred to his earlier statement on this matter and repeated that Essex County Council would progress the scheme as quickly as possible.

**(f) Waste Management**

Councillor Mohindra referred to the written report of the Environment Portfolio Holder that re-cycling performance for quarter 3 had been better than expected. He asked the Portfolio Holder to provide further details.

Councillor Breare-Hall, Environment Portfolio Holder, reported that a figure just short of 64% had been achieved for quarter 3. He cautioned that this might have been an anomaly but assured Councillor Mohindra that the Council was working towards that level if it had not already been achieved.

**(g) Environmental Health and Neighbourhoods – Horses**

Councillor Wixley drew attention to the written report of the Environment Portfolio Holder and sought an assurance that the dead horses fly-tipped in the District had not found their way to the food chain. He also sought further information about the fate of the horse which had been "fly-grazed" in a field in Roydon.

Councillor Breare-Hall, Environment Portfolio Holder, assured Councillor Wixley that the dead horses had been taken by a regulated waste company. In relation to the horse left in Roydon he agreed to find out more details and to publish them in the Council Bulletin.

**(h) Epping Station Car Park**

Councillor J M Whitehouse before asking his question declared a non-pecuniary interest in the matter by virtue of being a member of Epping Town Council.

He advised that a member of the public had submitted a public question for this meeting but that it had become lost in the system and had not appeared on the agenda. He stated that he proposed therefore to ask a similar question under this item. Councillor Whitehouse referred to the recent transfer of vehicles from the Epping Underground Station Car Park to the Council's Town Centre car parks which he said was having a damaging effect on the Epping Market and shops. He asked the Safer, Greener and Highways Portfolio Holder if consideration was being given to amending the tariffs of the Council's Car Parks to deter commuters from using them.

Councillor Waller, Safer, Greener and Highways Portfolio Holder said he was aware that car parking charges at underground stations had been increased and this had led to commuters parking their vehicles in the Council's Town Centre car parks. He advised that further work was being undertaken by Council officers including an update of the views of traders following which consideration would be given to reviewing charges in the Council's car parks. He assured members that this matter would be addressed as soon as reasonably practicable.

**(i) Bed and Breakfast Accommodation**

Councillor J H Whitehouse invited the Housing Portfolio Holder to comment on a report earlier in the day on BBC Radio Essex that people in the Epping Forest District were being housed in bed and breakfast accommodation longer than the statutory six week maximum period.

Councillor Stallan said he was shocked that the Council had been mentioned in the report. He said that if correct this situation was unsatisfactory and he would speak to officers and publish details in the Council Bulletin. He added that to his knowledge BBC Radio Essex had not sought a comment from the Council before the broadcast.

**(j) Property and Personal Security**

Councillor Smith asked the Safer, Greener and Highways Portfolio Holder if he would provide details of any current campaigns of the Epping Forest Safer Communities Partnership aimed at raising awareness of property and personal security and how any such information was being distributed.

Councillor Waller, Safer, Greener and Highways Portfolio Holder referred to the publicity material which he had placed in Members' places before this meeting. He said that crime overall was falling in the District but there had been an increase in domestic burglary offences. He suggested that this was due the proximity of the District to London. Councillor Waller stated that the "Lock-'em Out" campaign was aimed at drawing residents' attention to the steps they could take to keep their homes secure. He stated that the campaign was being run over a period of eight months in this District, Brentwood and Harlow. The Portfolio Holder added that, in addition, the Police were focusing on identified hot spots. He said he felt the Council could make a genuine impact on reducing this type of criminal activity the increase of which was an exception to the general trend.



**(k) Loughton High Road**

Councillor Markham referred to the comments he had made at the last Council meeting about the condition of pavements in Loughton High Road and asked the Leader of the Council if he had taken up the matter with Essex County Council and the Local Highways Panel.

Councillor Whitbread, Leader of the Council stated that he had written to Essex County Council and was awaiting a reply.

**(l) Judicial Review – Sainsbury's**

Councillor Angold-Stephens drew attention to the Judicial Review being pursued by Sainsbury's in relation to changes to the road layout in Chigwell Lane which he suggested could threaten the viability of the Sainsbury's operation at The Broadway. He asked the Asset Management and Economic Development Portfolio Holder if she agreed that a supermarket was vital to the future prosperity of The Broadway and if she would do all she could to reach a solution ensuring that a supermarket was retained on the Sainsbury's site as well as addressing the traffic needs. He also asked if she agreed that the Judicial Review risked the loss of this valuable facility whilst incurring substantial legal costs for the Council.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder confirmed that she wished to see a supermarket retained on the site which was something that residents wanted. She stated that the Council had received enquiries from another operator expressing an interest if the Sainsbury's store was closed. She advised that following a meeting with Polofind, Sainsbury's and Council officers possible alternatives were being assessed and if agreed these could avoid the need for a full Judicial Review. She added that she could not prevent Sainsbury's from continuing with a Judicial Review and if they did so the Council would have to defend its actions.

**(m) Area in the vicinity of Sainsbury's Store, Loughton Broadway**

Councillor Girling stated that the Council was responsible for ensuring a vibrant shopping experience for residents. He asked the Asset Management and Economic Development Portfolio Holder what action she and Council officers had taken to persuade Stobarts to clean up the area in the vicinity of the Sainsbury's store which was beginning to resemble a slum and was attracting anti-social behaviour and discouraging shoppers.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder said that there had been some communication with Stobarts but this had not achieved a positive response. She stated it was very disappointing that Stobarts had closed the shops close to the Sainsbury's store and allowed the area to fall into its current state. She undertook to ask the officers to speak to Stobarts again with a view to getting the area tidied up and becoming a more pleasant place.

**100. MOTIONS**

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

**101. QUESTIONS BY MEMBERS UNDER NOTICE**

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

**102. REPORT OF THE CABINET - LOCAL LAND AND PROPERTY GAZETTEER**

**Mover: Councillor Bassett, Planning Portfolio Holder**

Councillor Bassett submitted a report seeking a supplementary DDF estimate in order to provide the resources required to bring the Council's Local Land and Property Gazetteer up to the national standard.

**Report as first moved ADOPTED**

**RESOLVED:**

That a supplementary DDF estimate for 2012/13 in the sum of £100,000 be approved to provide the short term resources required to bring the Council's Local Land and Property Gazetteer up to the national standard by 31 March 2013.

**103. REPORT OF THE CABINET - TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2013/14 AND 2015/16**

**Mover: Councillor Stavrou, Finance and Technology Portfolio Holder**

Councillor Stavrou submitted a report on the Treasury Management Strategy Statement and Annual Investment Strategy, Minimum Revenue Provision Statement, Treasury Management Prudential Indicators, the rate of interest to be applied to any inter-fund balances and a Treasury Management Policy Statement.

Councillor Watts, Chairman of the Audit and Governance Committee stated that the Committee had considered how the risks associated with Treasury Management had been dealt with and had expressed satisfaction about the steps taken.

**Report as first moved ADOPTED**

**RESOLVED:**

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

- (a) Treasury Management Statement and Annual Investment Strategy 2013/14 to 2015/16;
- (b) Minimum Revenue Provision Statement;
- (c) Treasury Management Prudential Indicators for 2013/14 to 2015/16;
- (d) the rate of interest to be applied to any inter-fund balances; and
- (e) Treasury Management Policy Statement.

**104. REPORT OF THE CABINET - BUDGETS AND COUNCIL TAX DECLARATION 2013/14**

**Mover: Councillor Stavrou, Finance and Technology Portfolio Holder**

Councillor Stavrou thanked Mr R Palmer and Mr P Maddock and other officers in the Finance and ICT Directorate in interpreting and incorporating a raft of legislative changes which had emerged in the build-up to the draft budget.

The Portfolio Holder apologised for the delay in issuing the report to this meeting but stated that changes to the Localisation of Council Tax with the reduction in Tax Bases and the allocation of grants had caused a degree of confusion for a small number of Town and Parish Councils. She pointed out that as the Council Tax Declaration included the total for Parish precepts the report could not be issued until all of the Parish precepts had been received. She expressed the hope that as the main report had been issued a week in advance all members would have had the opportunity to consider it.

**The Portfolio Holder sought leave of the Council to move the following amendment to recommendation 5 of the report to the Cabinet:**

“Recommendation 5 to be renumbered 5(a) and the following to be added:

(5)(b) That a new Housing Revenue Account (HRA) usable reserve called the Self-Financing Reserve be set up in the current financial year (2012/13) with the intention of setting aside resources to repay the Council’s variable rate loan due to be repaid in March 2022; and

(5)(c) That although this reserve be set aside for the purpose stated this does not preclude a future meeting of the Council resolving to use part of the reserve for another HRA purpose if necessary”.

**Councillor Bassett seconded the amendment.**

Councillor Stavrou referred to the lengthy and robust process which had been adopted in considering the draft budget. She stated that the detailed growth lists had been considered by both the Finance and Performance Management Scrutiny Panel and the Finance and Performance Management Cabinet Committee as well as the Cabinet itself. In addition a joint meeting of the Cabinet Committee and the Scrutiny Panel had received the detailed Directorate budgets and at that meeting members had been given an opportunity to question the Directors and the Portfolio Holders.

Councillor Stavrou stated that at the joint Cabinet Committee and Scrutiny Panel meeting concerns had been expressed about how much the amount of reserves exceeded the Council’s minimum requirement. She stated that given the economy was on the brink of a triple dip recession and that the Reform to Non-Domestic Rates and Council Tax Benefit had transferred considerable financial risk from Central Government to the Council, it was a good time to have substantial reserves.

Councillor Stavrou continued that the budget for 2013/14 had always been a matter of consolidation in view of the numerous current uncertainties. She stated that as the Council’s grant figure had not been provided until late December and the mechanics behind Non-Domestic Rates were still emerging it would not have been prudent to plan for expansion or new initiatives at this time. She advised that the Cabinet had

ideas and proposals for the future but more certainty was required before these could be pursued.

The Portfolio Holder stated that the Cabinet wished to see Economic Development taken forward. She stated that members would be aware that the Council would benefit from increases in the Non-Domestic Rate List and this would be an important consideration of the Council's finances in future. She advised that it was also important to invest in the economic development to help the business community and residents. She advised that the proposed budget included an additional £35,000 support for the District's Town Centres and that as part of the initiative a Town Team Task Force was being established to lead on Town Centre matters. Councillor Stavrou emphasised that investment in economic development would not be achieved through increases in Council Tax and the intention of the Cabinet was for this Council to remain a low Council Tax authority for the long term.

In addition to no increase in the District Council Tax she pointed out that there were no proposed cuts to front line services and no increases to car parking charges.

Councillor Watts on behalf of all Town and Parish Councils expressed his thanks to the Portfolio Holder and to the officers for their work on the budget. Group Leaders and other members thanked the Portfolio Holder and officers for their work and expressed support for the budget.

In response to comments, Councillor Stavrou assured members that the Cabinet had been mindful of the effects of welfare reform and residents would be directed to the assistance available. She also confirmed that in setting the budget, account had been taken of the ability of Council Tax payers to spread payments over 12 months rather than the previous limitation of 10 months.

**Amendment moved earlier in the debate by Councillor Stavrou and seconded by Councillor Bassett in relation to Recommendation 5 in the Report of the Cabinet was put to the meeting.**

**Carried**

#### **Report as amended ADOPTED**

##### **RESOLVED:**

- (1) That the list of CSB growth and savings for the 2013/14 budget (set out in Annex 1 attached) be approved;
- (2) That the list of District Development Fund items for the 2013/14 budget (set out in Annex 2 attached) be approved;
- (3) That the revenue estimates for 2013/14 and the draft Capital Programme for 2013/14 be approved as set out in Annexes 3, 4 (a-i) and 5 including all contributions to and from reserves as set out in the attached Annexes;
- (4) That the medium term financial forecast be approved as set out in Annexes 8 a and 8 b attached;
- (5)(a) That the 2013/14 HRA budget be approved and that the application of rent increases and decreases resulting in an average increase of 4.36% from £87.06 to £90.85, be approved;

(5)(b) That a new Housing Revenue Account (HRA) usable reserve called the Self Financing Reserve be set up in the current financial year (2012/13) with the intention of setting aside resources to repay the Council's variable rate loan due to be repaid in March 2022;

(5)(c) That although this reserve be set aside for the purpose stated this does not preclude a future meeting of the Council resolving to use part of the reserve for another HRA purpose if necessary;

(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 2015/16 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 2016/17;

(7) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2013/14 budgets and the adequacy of the reserves (see Annex 9 attached) be noted;

#### **Declaration of Council Tax**

(8) That it be noted that on 10 January 2013, the Finance and Technology Portfolio Holder in consultation with the Chairman of the Overview and Scrutiny Committee calculated the Council Tax Base 2013/14:

(a) for the whole Council area as 50,169.2 (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	202.1
Buckhurst Hill	4,979.7
Chigwell	5,673.6
Epping Town	4,799.7
Epping Upland	390.0
Fyfield	407.6
High Ongar	529.4
Lambourne	820.1
Loughton Town	11,682.8
Matching	409.8
Moreton, Bobbingworth and The Lavers	535.3
Nazeing	1,960.3
North Weald Bassett	2,408.4
Ongar	2,530.6
Roydon	1,249.8
Sheering	1,273.4
Stanford Rivers	343.4
Stapleford Abbots	492.8
Stapleford Tawney	74.4
Theydon Bois	1,911.9
Theydon Garnon	78.9
Theydon Mount	105.8
Waltham Abbey Town	7,080.1

Willingale

229.3

(9) That the following amounts be calculated for the year 2013/14 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:

- (a) £124,036,809 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) £113,583,422 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
- (c) £10,453,387 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) £208.36 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) £2,989,715 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 and crime Commissioner 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 2013/14 for each part of its area and for each of the categories of dwellings; and

(12) That in accordance with section 52ZB of the Local Government Finance Act 1992, Council determines that the amount of Council Tax shown at (9) (f) of £148.77 for 2013/14, being unchanged from 2012/13 is not excessive and therefore there is no need to hold a local referendum.

**105. OVERVIEW AND SCRUTINY****(a) Report of the Chairman of the Overview and Scrutiny Committee**

The Council received a written report from Councillor Morgan, the Chairman of the Overview and Scrutiny Committee.

**(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) Report of Constitution and Member Services Scrutiny Standing Panel - Appointments at Annual Council – Review****Mover: Councillor Sartin, Chairman of the Panel**

Councillor Sartin presented a report of the Panel following a review of the operation of the Appointments Panel process prior to the Annual Council meeting.

**Report as first moved ADOPTED****RESOLVED:**

- (1) That the continued successful operation of the Appointments Panel be noted;
- (2) That the following changes be made to the Constitution:
  - (a) the revocation of the protocol of the allocation of Chairmanships and Vice-Chairmanships and Outside Organisation Places in favour of measures (b) and (c) below;
  - (b) the formal inclusion of the Terms of Reference of the Appointments Panel in the “Responsibility for Functions” section of the Constitution and Responsibility for Council Functions table in Part 3 of the Constitution as set out in Appendix 1 to the report of the Scrutiny Panel;
  - (c) consequential amendments for the Council Procedure Rules section 1 to reflect the report of the Appointments Panel directly to the Annual Council meeting covering those matters set out in its Terms of Reference; and
  - (d) authorisation for the Assistant to the Chief Executive to make the consequential amendments to the Council Constitution set out above; and
- (3) That 9 and 14 May (reserved date) 2013 be approved as the date(s) for the Appointments Panel for 2013 and thereafter the dates be set as part of the annual calendar of meetings subject to the last Panel meeting being held at least seven days before the Annual Council meeting each year.

**(ii) Report of the Constitution and Member Services Scrutiny Standing Panel – Access to Information Rules****Mover: Councillor Sartin, Chairman of the Panel**

Councillor Sartin presented a report following consideration by the Panel of new regulations concerning Access to Information/Meetings for Local Authority Executives.

**Report as first moved ADOPTED****RESOLVED:**

- (1) That the revised Access to Information Rules attached to the report of the Scrutiny Panel be approved and published in the Constitution; and
- (2) That the Assistant to the Chief Executive be appointed as Proper Officer in respect of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in conjunction with his existing delegation in respect of the Access to Information Act 1985.

**(iii) Report of the Constitution and Member Services Scrutiny Standing Panel – Questions – Periods of Notice and Related Matters****Mover: Councillor Sartin, Chairman of the Panel**

Councillor Sartin presented a report of the Panel following consideration of the deadlines for submission of questions by members of the public and councillors at Council and Cabinet meetings.

**Amendment moved by Councillor Stallan and seconded by Councillor J M Whitehouse**

“That the words “and recorded in the minutes of the meeting” be inserted after the words “Council Bulletin” in recommendation (1)(f)”.

Following a debate, Councillor Stallan with the consent of Councillor J M Whitehouse withdrew the proposed amendment.

**Second amendment proposed by Councillor Stallan and seconded by Councillor J M Whitehouse**

“That recommendation (1)(f) be amended to read:

“That, in future, where the member of the public asking a question is not in attendance at the relevant meeting a reply be sent in writing by letter or by e-mail, published in the Council Bulletin and recorded in the minutes of the meeting”.

**Carried****Report as amended ADOPTED**



**RESOLVED:**

(1) That the following changes be made in respect of questions under notice by Councillors and the public at Council and Cabinet meetings:

**Questions under Notice from Councillors at Council meetings**

(a) That Council Procedure Rule 12.3 (a) be amended by deleting the words “at least seven working days before the meeting” and substituting “at least four working days before the meeting”;

**Questions under Notice from Members of the Public at Council meetings**

(b) That Council Procedure Rule 11.3 be amended by deleting “no later than mid day seven working days before the meeting” and substituting “at least four working days before the meeting”;

**Questions under Notice from Members of the Public at Cabinet Meetings**

(c) That, pursuant to Paragraph 2.2 (ix) of the Executive Procedure Rules, the deadline for submission of public questions at Cabinet meetings be amended by deleting “by 4.00 p.m. on the day of the Cabinet meeting” and substituting “at least four working days before the Cabinet meeting”;

(d) That, in future, members of the public be required to provide the full text of their question by the deadline and not merely an indication of the subject matter as at present;

(e) That the current limitation of one questioner per subject at Cabinet meetings be rescinded but the limit of two questions per member of the public be retained;

**All questions by members of the public (Council and Cabinet meetings)**

(f) That, in future where the member of the public asking a question is not in attendance at the relevant meeting a reply be sent in writing by letter or by e-mail, published in the Council Bulletin and recorded in the minutes of the meeting;

**All questions by the public or Councillors at Council meetings**

(g) That, in future, written copies of questions and answers be supplied only to the Portfolio Holder and the questioner;

(h) That the order of questions at Council meetings be amended to the following:

- (i) Public Questions;
- (ii) Questions under notice by Councillors;
- (iii) Questions on Portfolio Holder reports by Councillors;
- (iv) Questions by Councillors without notice to Portfolio Holders;

- (2) That these proposals be reviewed after one year; and
- (3) That, the Assistant to the Chief Executive be authorised to make the appropriate amendments to the Council's Constitution.

**106. EPPING FOREST DISTRICT REMUNERATION PANEL ANNUAL REPORT 2012/13**

Ms R Kelly, Member of the Remuneration Panel presented the Annual Report of the Panel covering work undertaken during the 2012/13 year.

The Council noted that the report provided background to Councillors' Allowances and Expenses and summarised the matters reviewed by the Panel during the year, namely:

- (a) Basic Allowance;
- (b) Special Responsibility Allowances and in particular the allowance for the Chairman of the Overview and Scrutiny Committee;
- (c) the IT Connectivity Allowance;
- (d) an addition to the list of "approved duties" for the purposes of travel expenses;
- (e) the mileage rates for travel by car; and
- (f) an approach from another Council regarding a possible Joint Remuneration Panel.

**RESOLVED:**

- (1) That the members of the Remuneration Panel be thanked for their Annual Report 2012/13; and
- (2) That the report be noted.

**107. MEMBERS' ALLOWANCES SCHEME REVIEW**

Miss R Kelly, member of the Remuneration Panel presented a report following a review by the Panel of the following aspects of the Members' Allowances Scheme:

- (a) Basic Allowance;
- (b) Special Responsibility Allowances;
- (c) the Allowance for the Chairman of the Standards Committee;
- (d) an Allowance for the Independent Persons on the Standards Committee;
- (e) the Allowances paid to the Remuneration Panel;
- (f) the IT Connectivity Allowance;

- (g) travel outside of the District; and
- (h) meetings of Associations and Partnerships.

**Amendment moved by Councillor Waller and seconded by Councillor Whitbread**

“That recommendation (2) of the Panel concerning the level of implementation of the basic allowance be not adopted”.

**Carried**

**Report as amended ADOPTED**

**RESOLVED:**

**Basic Allowance**

- (1) That no change be made to the amount of Basic Allowance of £4,300 per member per annum.

**Special Responsibility Allowances**

- (2) That except for the Chairman of the Standards Committee, no change be made to the Special Responsibility Allowances;
- (3) That the Chairman of the Standards Committee be paid a Special Responsibility Allowance of £500 for the year 2013/14;
- (4) That the Panel gives further consideration to the allowance for the Chairman of the Standards Committee as part of its next review of the Allowances Scheme;

**Independent Members**

- (5) That, although not part of the Members' Allowances Scheme, the Independent Persons appointed by the Council as part of its standards arrangements be paid an allowance of £250 per member per annum;
- (6) That the Panel gives further consideration to this allowance as part of its next review of the Allowances Scheme;

**Independent Remuneration Panel**

- (7) That the Assistant to the Chief Executive review the payments made to members of the Independent Remuneration Panel and report to a future meeting of the Council on the suggestion of the Panel that the payments to the Panel members be reduced;

**Connectivity Scheme**

- (8) That the amount of the Connectivity Allowance payable to members be reduced to a payment of £250 per member per annum, with payments being made subject to fulfilment of the requirements for payments;

(9) That the payment of £250 per member per annum be reviewed if and when the law allows the Council to consider replacing paper agenda, reports etc with electronic tablets;

#### **Travel outside of the District**

(10) That no change be made to the provisions of the Allowances Scheme regarding the limit placed on the amount of expenses claimable for travel outside of the District.

#### **Meetings Regarding Joint Arrangements and Partnership Working**

(11) That the following paragraph be added to the list of approved duties in Schedule 2 of the Allowances Scheme:

“(1)(o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council’s interests”;

#### **Councillors’ Pensions**

(12) That the proposal of the Government to deny councillors access to the Local Government Pension Scheme from April 2014 be noted.

### **108. ELECTION OF VERDERERS OF EPPING FOREST - 2013**

The Chairman reported that under the Epping Forest Acts 1878 and 1880, an election was held every seven years to appoint four Verderers, two to the northern Forest parishes and two for the southern Forest parishes to take seats on the Epping Forest and Open Spaces Committee of the Corporation of the City of London. He advised that the Council was shown on the Register of Commoners as settled by the Conservators of Epping Forest as it owned or occupied not less than ½ an acre of land not covered by buildings within the ancient boundary of the Forest. The Chairman stated that this entitled the Council to nominate or second candidates and to vote in the event of a poll taking place. The Council noted that its land came within the northern Forest parishes.

#### **Moved by Councillor Morgan and seconded by Councillor Murray**

“That the Council support the existing Verderers, Michael Chapman and Richard Morris at the meeting to be held for the purpose of nominating and seconding candidates and in casting its votes”.

**Carried**

#### **RESOLVED:**

(1) That the Chairman of the Council, Councillor B Rolfe, be authorised to attend the meeting of electors on 25 February 2013 to make any nomination(s) on behalf of the Council and, if necessary, to vote at the poll on 28 February 2013; and

(2) That the Council support the existing Verderers, Michael Chapman and Richard Morris at the meeting to be held for the purpose of nominating and seconding candidates and in casting its votes.

**109. CALL-IN AND URGENCY - NATIONAL NON-DOMESTIC RATES RETURN (NNDR 1 - 2013/14)**

The Council noted that the Chairman of the Council had agreed that the decision of the Finance and Technology Portfolio Holder to approve the NNDR 1 form, following consultation with the Chairman of the Overview and Scrutiny Committee, should be treated as a matter of urgency and should not be subject to call-in.

**110. CALL-IN URGENCY - REVIEW OF NORTH WEALD AIRFIELD - APPOINTMENT OF CONSULTANTS**

The Council noted that the Chairman of the Council had agreed that the decision of the Cabinet to appoint Drivers Jonas Deloitte to deliver the Review of North Weald Airfield at a cost of £145,000 plus meetings disbursements should be treated as a matter of urgency and should not be subject to call-in.

**111. DECISION TAKEN BY THE LEADER OF THE COUNCIL - ESTABLISHMENT OF A CABINET COMMITTEE ON COUNCIL HOUSEBUILDING**

The Council noted a decision taken by the Leader of the Council establishing a Cabinet Committee on Council Housebuilding.

**112. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS****(a) Stansted Airport Community Trust**

The Council received a report from Councillor Morgan, its representative on the Stansted Airport Community Trust.

Councillor Morgan advised that the Trust awarded grants to a wide variety of organisations within a 10 mile radius of Stansted Airport. The grants were made available from fines imposed on aircraft travelling off route. Councillor Morgan advised that the Trust did not fund projects for parish councils or individuals and did not grant money for completed projects. He advised that during the last year the grants made had included assistance in providing a new ramp at North Weald Village Hall and a new cricket pavilion at Matching Green.

**RESOLVED:**

That, as parts of the Epping Forest District are on the final approach to the Airport and suffer from aircraft noise but are outside of the 10 mile radius, the Council's representative request the Trust to consider changing its eligibility criteria.

**(b) Grange Farm Centre Trust – Trustees Annual Report and Accounts**

The Council received the Trustees Annual Report and Accounts.

**(c) Epping Forest Citizens' Advice Bureau**

The Council received a report from Councillor Cohen, one of its representatives on the Citizens' Advice Bureau.

**RESOLVED:**

That the Citizens Advice Bureau be invited to attend a future meeting of the Overview and Scrutiny Committee in order to present a more detailed report on the work undertaken in this District.

**(d) Reports from Representatives on Other Outside Organisations**

The meeting noted that the Constitution and Member Services Scrutiny Panel was reviewing the Council's relationships with external organisations and the reporting regime from the Council's representatives on those organisations.

**CHAIRMAN**