

## **EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES**

**Committee:** Council **Date:** 26 September 2006

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 8.40 pm

**Members Present:** Councillors Mrs A Haigh (Chairman), Mrs C Pond (Vice-Chairman), D Bateman, Mrs D Borton, Mrs P Brooks, R Church, M Cohen, M Colling, Mrs D Collins, Mrs A Cooper, J Demetriou, T Farr, R Frankel, Mrs R Gadsby, P Gode, R Goold, A Green, Mrs A Grigg, R Haines, Mrs H Harding, J Hart, P House, D Jacobs, D Kelly, J Knapman, R Law, Mrs J Lea, J Markham, Mrs M McEwen, P McMillan, S Metcalfe, G Mohindra, R Morgan, S Murray, Mrs S Perry, T Richardson, Mrs P K Rush, B Sandler, Mrs M Sartin, P Spencer, Mrs P Smith, D Stallan, Ms S Stavrou, P Turpin, Mrs L Wagland, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, K Wright and J Wyatt

**Apologies:** Councillors K Angold-Stephens, Mrs S Clapp, R D'Souza, A Lee, Mrs P Richardson, D Spinks, G Stollar and M Woollard

**Officers Present:** J Scott (Joint Chief Executive), P Haywood (Joint Chief Executive), R Palmer (Head of Finance), I Willett (Head of Research and Democratic Services) G Lunnun (Democratic Services Manager), M Jenkins (Democratic Services Assistant) and S Dobson (Information Assistant (Public Relations))

### **41. MINUTES**

#### **RESOLVED:**

That the minutes of the meeting held on 25 July 2006 be taken as read and signed by the Chairman as a correct record.

### **42. DECLARATIONS OF INTEREST**

Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Smith declared a personal interest in agenda item 3(c) (Quality Council Status) by virtue of being a member of the Epping Upland Parish Council. The Councillor declared that her interest was not prejudicial and indicated that she would remain in the meeting for the consideration of the item.

### **43. ANNOUNCEMENTS**

#### **(a) Chairman's Announcements**

##### **(i) Webcast of meeting**

The Chairman announced that this was the first full Council meeting to be broadcast live to the Internet and capable of repeated viewing.

**(ii) Royal Norwegian Air Force Visit**

The Chairman reported that on Saturday 19 August 2006 she had hosted a visit to the Civic Offices by the Major General and other members of the Royal Norwegian Air Force, Royal Norwegian Air Force Veterans and Royal Air Force Veterans as part of the celebrations for the 90th Anniversary of North Weald Airfield. She advised that the Major General had referred to the special relationship which the Royal Norwegian Air Force had with the Epping Forest District and he had congratulated the Council in preserving and maintaining the continued operation of the Airfield. The Chairman thanked Democratic Services staff for helping to host the event and escorting members of the Group to the top of the tower which had been a highlight, particularly for the Veterans who had been able to view areas which they had previously seen when flying in and out of the Airfield.

**(iii) Charity Golf Day**

The Chairman reported that the Charity Golf Day held on 18 September 2006 in aid of her charities had received generous sponsorship and that as a result she expected to be able shortly to present a new piece of equipment to Essex Ambulance Community First Responders.

**(iv) Civic Events**

The Chairman advised that she would be holding a Carol Service for members and officers at St John's Church in Buckhurst Hill on 8 December 2006. She also reported that arrangements were being made for a celebration of Faith Service at Theydon Bois Village Hall on 28 January 2007, and the Civic Awards evening on 1 March 2007 at the Prince Regent, Woodford Bridge.

**(v) Quiz Evening**

The Chairman reported that arrangements were being made for a Quiz Evening in aid of her charities to be held at the Theydon Bois Village Hall on 9 February 2006.

**(vi) Flowers**

The Chairman announced that the flowers from tonight's meeting would be sent to Leonard Davis House, North Weald.

**(b) Leader's Announcements****(i) Draft East of England Plan - Report of the Panel of Inspectors following the Examination in Public**

The Leader reported that a letter had been sent to the Right Honourable Ruth Kelly MP, Secretary of State for Communities and Local Government in response to the Panel's report. She also reported that a meeting had been held earlier in the day with County Councillor Peter Martin, Deputy Leader and Planning, Environment and Culture Portfolio Holder, at which she had again sought support from the County Council for development proposals north of Harlow rather than to the south and west. She also advised that meetings were to be held shortly with officers and members of Harlow Council to discuss the position.

**(c) Quality Council Status**

The Chairman reported that Epping Upland Parish Council and Ongar Town Council had been awarded Quality Parish/Town Council status. She advised members that the status was designed to provide a benchmark standard for Parish and Town Councils and enable them to represent better the communities they served. She introduced and welcomed Joy Sheppard, Chief Executive of the Essex Association of Local Councils to the meeting who explained the status in more detail and the work which Epping Upland Parish Council and Ongar Town Council had undertaken in order to achieve quality status. The Chairman presented the awards to Councillor Alan Mansfield (Chairman) and Mrs Valerie Slade (Clerk) of the Epping Upland Parish Council and to Councillor Brian Surtees (Chairman), Councillor Keith Tait (Vice-Chairman) and Mrs Julie Abel (Clerk) of the Ongar Town Council and joined them for photographs.

**(d) Member Computer Training - Award of Certificates**

The Chairman handed Certificates to those members who had completed recent IT training.

**(e) Legal Services - Lexcel Award**

The Chairman reported that the Council's Legal Services had been awarded Lexcel status. Lexcel was the Law Society's practice management quality mark which allowed any type and size of legal practice to undergo independent assessment to certify that the Lexcel practice management standards were being met. The Chairman presented the Lexcel Certificate to Ruth Rose, Senior Lawyer, who had prepared Legal Services for assessment. The Chairman joined Ms Rose for a photograph.

**44. PUBLIC QUESTIONS**

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

**45. REPORTS FROM THE LEADER, CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE AND ANY MEMBER OF THE CABINET**

The Chairman announced that this was the first meeting at which the Leader, Chairman of Overview and Scrutiny Committee and Members of the Cabinet had been invited to submit written reports on matters falling within their areas of responsibility. She reminded members that in accordance with the Council's Constitution, these reports were to be taken as read but that questions could be asked about the reports under the following item on the agenda.

By leave of the Council, the Chairman invited the Leader to explain a report which had been included under this item in relation to an approach from Maldon District Council for support in making representations to the Secretary of State for Constitutional Affairs about the restrictions being imposed on elected members by the current Code of Conduct.

The Leader reported that she proposed to draft a letter in consultation with officers in response to the approach from Maldon District Council and that a copy of the draft letter would be included in the Members' Bulletin in the near future. She stated that all members would be invited to comment on the draft letter at that time and that any

comments received would be taken into account before the letter was finalised and sent.

The Council received further reports from the Leader, the Chairman of the Overview and Scrutiny Committee, the Community Wellbeing Portfolio Holder, the Housing Portfolio Holder, the Leisure Portfolio Holder, the Planning and Economic Development Portfolio Holder and the Customer Services, Media, Communications and ICT Portfolio Holder. By leave of the Council, the Housing Portfolio Holder drew attention to amendments to his report.

#### **46. QUESTIONS BY MEMBERS WITHOUT NOTICE**

##### **(a) Anti-Social Behaviour in Loughton**

**By Councillor S Murray to Councillor Ms S Stavrou, Portfolio Holder for Community Wellbeing**

Is the Portfolio Holder aware

- (a) that the police are not dealing with anti-social behaviour in Loughton and , in particular, the Roding Ward;
- (b) that local residents are not satisfied;
- (c) that the 24 hour emergency mobile service is not efficient? (Councillor Murray gave an example of having himself called the number and had not received a response in 14 days).

**Response by Councillor Ms S Stavrou, Portfolio Holder for Community Wellbeing**

I am aware of the problems highlighted and accept the co-ordination of the anti-social behaviour policy has room for improvement. There are currently two posts vacant in the Council's Safer Communities Team and these will be advertised shortly. I have confidence in the recently appointed Anti-Social Behaviour Co-ordinator – Paul Gardener – who has developed a good working relationship including joint tasking arrangements with Essex Police. If Councillor Murray feels that a specific area should receive closer attention he should speak to Paul Gardener.

##### **(b) Anti-Social Behaviour Orders**

**By Councillor Mrs J H Whitehouse to Councillor Ms S Stavrou, Portfolio Holder for Community Wellbeing**

Are ward councillors to be involved in the implementation of anti-social behaviour orders?

**Response by Councillor Ms S Stavrou, Portfolio Holder for Community Wellbeing**

Ward members have a great deal of input into the implementation of anti-social behaviour orders, they show good local knowledge at the Crime and Disorder Panel and I will recommend at their next meeting that they will have more input.

**(c) Collection of Residual Waste**

**By Councillor M Cohen to Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

What has been the re-action of residents of the District to the recent motion adopted by the Council to return to the weekly collection of residual waste?

**Response by Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

The decision to change the service was received very well by residents. They expressed their views strongly about the service, we listened to those views and brought forward proposals for weekly collections during the summer months and as a result there has been a dramatic drop in the number of complaints. The majority of calls now being received relate to operational issues and many are questioning why weekly collections will not be continued after the summer months.

**(d) Public Consultation on Waste Management Contract**

**By Councillor R Frankel to Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT.**

Would you expand on the proposals for public consultation about the new waste management contract and the resource implications of the exercise?

**Response by Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

The public consultation exercise will be aimed at helping us to decide on the specification for the new contract. There will be widespread consultation and background information and cost implications will be published and comments will be sought. The financial implications to residents will need to be restricted in view of the Council's current policy of increasing District Council Tax by no more than the Retail Price Index. Use will be made of local newspapers, the Forester, the Council's website and other appropriate outlets.

**(e) Public Consultation on Waste Management Contract**

**By Councillor J M Whitehouse to Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

The consultation exercise appears to be a scattergun approach, do you think this will result in representative responses?

**Response by Councillor S Metcalfe, Portfolio Holder for Customer Services, Media, Communications and ICT**

I consider that the exercise will be accessible rather than scattergun. I have looked at various options and I want as many residents as possible to respond. In my view a small targeted survey would be less satisfactory. The background information provided will be balanced and put both sides of the argument.

**(f) Budget Deficit****By Councillor D Jacobs to Councillor J Knapman, Portfolio Holder for Finance , Performance Management and Corporate Support Services**

Due to the increased costs of the weekly collection of residual waste, can you confirm that the Council will need to make savings of £1M elsewhere in order to avoid a deficit budget and that the cost of a weekly collection will add considerably to the budget?

**Response by Councillor J Knapman, Portfolio Holder for Finance, Performance Management and Corporate Support Services**

All other things remaining equal, the Council will be running at a deficit of £1.1 M if the new waste collection contract provides for weekly collection during the summer months; if there is weekly collection during the whole year the effect will be much greater. As a result the Council will run out of reserves in 2010. However, that assumes we will not take any steps to address the matter. The Finance and Performance Management Cabinet Committee are proposing that the CSB budget for 2007/08 be restricted to £17 M and this will necessitate finding savings of £500,000 in order to fund the new waste management contract. An enhanced waste management service cannot be provided without additional costs being incurred. The Council will need to examine how it can afford an enhanced service. This could be through reducing balances, generating more income, making cuts in other services or increasing the District Council Tax by more than inflation. If our residents do want an enhanced service they must realise that it will cost the Council substantially more and budget adjustments will have to be made. The Council will have to take these decisions in due course.

**(g) Parking in Buckhurst Hill****By Councillor R Goold to Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

You advised three months ago that you would consult with ward councillors on the District Council's response to objections made to the proposed new parking regime in Buckhurst Hill but this does not appear to have happened, can you clarify the current position?

**Response by Councillor A Green, Portfolio Holder for Civil Engineering and Maintenance**

I have not yet received details of the objections made to Essex County Council. When I receive them I will liaise with ward councillors before formulating the District Council's views.

**(h) Tree Planting****By Councillor S Murray to Councillor Mrs A Grigg, Portfolio Holder for Planning and Economic Development**

Can you guarantee that Stages 3 and 4 of the Loughton Town Centre Enhancement will not repeat the "concrete desert" and desolation of Phase 2?

**Response by Councillor Mrs A Grigg, Portfolio Holder for Planning and Economic Development**

Every effort will be made to replace trees removed as part of Phase 2. One of the difficulties is to find suitable locations where trees can be planted. Lessons have been learnt from Phase 2 and further options for planting will be considered in future Phases possibly involving the re-siting of street furniture.

**(i) Litter Wardens and Recycling****By Councillor T Richardson to Councillor Mrs M Sartin, Portfolio Holder for Environmental Protection**

Bearing in mind the expense of litter wardens who only work in daytime, the fact that most litter is dropped at night and that the majority is food wrappings and drink containers, will you investigate a deposit system for returning waste to the purveyors of food and drink in order to save ratepayers money?

**Response by Councillor Mrs M Sartin, Portfolio Holder for Environmental Protection**

That is an interesting idea which would put the onus on shopkeepers etc. We need to consider the practicalities of such a suggestion. The introduction of community wardens is being investigated by a Task and Finish Panel and members will shortly be visiting Colchester and Braintree where wardens are already in being. I am sure that the members of the Task and Finish Panel will have regard to your suggestion as well as the experiences of Colchester and Braintree..

**47. MOTIONS**

No motions had been received for consideration at the meeting.

**48. QUESTIONS BY MEMBERS UNDER NOTICE**

No questions by members had been received for consideration at the meeting.

**49. REPORTS OF THE CABINET**

Councillor Mrs D Collins, Leader of the Council and Chairman of the Cabinet, invited the Finance, Performance Management and Corporate Support Services Portfolio Holder to present reports of the Cabinet.

**(a) Supplementary Estimates**

**(Mover: Councillor J Knapman - Finance, Performance Management and Corporate Support Services Portfolio Holder).**

The Portfolio Holder summarised the reasons for seeking supplementary estimates.

Report as first moved **ADOPTED**.

**RESOLVED:**

- (1) That a supplementary capital estimate of £15,500 be approved for the purchase of a portable skip-type compactor for the collection of trade waste and recycling material from the Civic Offices site;
- (2) That a DDF supplementary estimate of £7,000 be approved to undertake remedial works to the Fisherman's Car Park in the Roding Valley Recreation Ground;
- (3) That a DDF supplementary estimate of £10,000 be approved for the installation of a disabled toilet at Waltham Abbey Sports Centre in order to enable the relocation of the District Sportability Club; and
- (4) That a CSB supplementary estimate of £5,000 be approved to provide advice in relation to claims against the Council for subsidence to properties affected by preserved trees.

**(b) Review of the Capital Programme 2006/07 - 2010/11**

**(Mover: Councillor J Knapman - Portfolio Holder for Finance, Performance Management and Corporate Support Services).**

The Portfolio Holder advised that the progress of each scheme within the Capital Programme had been monitored and the estimated final costs and the phasing of expenditure profiles had been re-assessed. As a result some changes and virements were proposed.

Report as first moved **ADOPTED**.

**RESOLVED:**

- (1) That a supplementary capital estimate for 2006/07 of £8,000 be approved for the car park upgrade works being carried out at Queens Road, Buckhurst Hill;



(2) That provision for the Loughton High Road Town Centre Enhancement Scheme be increased by £65,000 to be financed from Section 106 monies;

(3) That an increase of £33,000 within the Finance, Performance Management and Corporate Support Services Portfolio be approved for a Countrycare replacement vehicle (£13,000) and accommodation improvements within Planning Services (£20,000);

(4) The virements within the HRA for 2006/07 of £566,000 be approved for heating and re-wiring projects and £88,000 for other planned maintenance from:

(a) cost reflective repairs (£428,000);

(b) structural schemes (£120,000); and

(c) cyclical maintenance (£106,000); and

(5) That a virement within the HRA for 2006/07 of £46,000 be approved for Springfields improvements out of the savings from the Wickfields stock transfer.

**(c) Staff Code of Conduct**

**(Mover: Councillor J Knapman - Portfolio Holder for Finance, Performance Management and Corporate Support Services)**

The Portfolio Holder reported that although the Council had in place guidance on important aspects of staff conduct, the Audit Commission had commented that these should be included in one overall Code of Conduct for Staff. The Council had been awaiting the National Code of Conduct for officers from the Government and there had been extensive consultation on a National Code which had resulted in the Government issuing a draft Model approximately one year ago. However, as no further progress seemed to have been made since that time and having regard to the Audit Commission's comments it had been decided to produce a local version.

Report as first moved **ADOPTED**.

**RESOLVED:**

That the Staff Code of Conduct be approved.

**(d) Council Tax Discounts for Long-Term Empty Homes**

**(Mover: Councillor J Knapman - Portfolio Holder for Finance, Performance Management and Corporate Support Services)**

The Portfolio Holder advised that the Cabinet had reviewed the Council's policy in relation to the discount for long-term empty properties and was proposing that the discount be reduced in order to put pressure on owners to bring their properties back into use.

Report as first moved **ADOPTED**.

**RESOLVED:**

That the discount for Class C Properties (long-term empty properties) within the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003:

- (a) remains at 50% for six months; and
- (b) thereafter be removed.

**50. STATUTORY STATEMENT OF ACCOUNTS - 2005/06**

The Leader of the Council and the Finance, Performance Management and Corporate Support Services Portfolio Holder reported that as a result of an error by its actuary the Essex County Council had provided inaccurate information to the District Council in relation to the performance of the Pension Fund. It had been necessary, therefore, to make a material change to the District Council's Statutory Statement of Accounts.

**RESOLVED:**

That the Statutory Statement of Accounts 2005/06 be re-approved.

**51. REPRESENTATION ON OUTSIDE ORGANISATION - NORTH ESSEX MENTAL HEALTH PARTNERSHIP NHS TRUST**

The Chairman advised that the Council had been invited, along with seven other North Essex Districts, to nominate one person to represent those Councils in the activities of the North Essex Mental Health Partnership NHS Trust. Members noted that since the preparation of the agenda, the suggested nominee, Mrs S Jackman had been appointed to the Partnership through another route, resulting in the need to find another nominee to represent the North Essex Districts.

Members noted that the process of agreeing a nominee for the District Councils would be determined by the Essex Chief Executives' Association and that the nominee would be decided by the Essex Local Government Association.

**RESOLVED:**

- (1) That members submit nominations to the Joint Chief Executive (Resources) and the Leader of the Council; and
- (2) That the Joint Chief Executive (Resources) and the Leader of the Council determine whether any nominations made should be taken forward.

**52. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS**

The Chairman invited the Council's representatives on external organisations to make reports on the business of those organisations.

Councillor R Morgan reported that the Stansted Airport Community Trust was inviting local organisations based not more than 10 miles from Stansted Airport to apply for up to £2,000 from the fund provided by the British Airports Authority. He advised that

further applications would be considered in the New Year and that further details could be obtained from him or from Essex County Council.

The Chairman invited members to ask questions of representatives on external organisations.

Councillor J Knapman asked if the Council was represented on an NHS Trust covering hospitals which served the south of the District. By leave of the Council, the Joint Chief Executive (Community Services) reported that some years ago the Council had expressed concern about Whipps Cross University Hospital and following an approach to the London Borough of Waltham Forest, a District Council member had been co-opted to the London Borough Council's appropriate Scrutiny Panel. However, no meetings had been held of the Panel and the invitation had not been repeated in recent years.

Councillor R Frankel asked Councillor A Green for a report on a recent meeting of the Highways Panel (West Area). Councillor Green advised that he had been unable to attend that meeting and that he would provide Councillor Frankel with a response after talking to Council Officers who had been in attendance.

**CHAIRMAN**