

EPPING FOREST DISTRICT COUNCIL CABINET MINUTES

Committee: Cabinet **Date:** 7 March 2019

Place: Council Chamber - Civic Offices **Time:** 7.00 - 7.31 pm

Members Present: C Whitbread (Chairman), S Stavrou (Vice-Chairman), A Grigg, H Kane, A Lion, J Philip, G Mohindra and S Kane

Other Councillors: N Bedford, R Brookes, P Keska and M Sartin

Apologies: N Avey

Officers Present: D Macnab (Acting Chief Executive), G Blakemore (Strategic Director), P Maddock (Assistant Director (Accountancy)), Q Durrani (Service Director (Contracts & Technical Services)), T Carne (Corporate Communications Manager), A Hendry (Senior Democratic Services Officer) and A Rose (Marketing & Digital Content Officer)

88. WEBCASTING INTRODUCTION

The Leader of Council made a short address to remind everyone present that the meeting would be broadcast live to the internet, and would be capable of repeated viewing, which could infringe their human and data protection rights.

89. DECLARATIONS OF INTEREST

Pursuant to the Council's Member Code of Conduct, Councillor G Mohindra declared an interest in item 8 – Harlow and Gilston Garden Town Transport Strategy, by virtue of being a Cabinet Member of Essex County Council. The Councillor had determined that his interest was not prejudicial and that he would remain in the meeting for the consideration of the item.

90. MINUTES

RESOLVED:

That the minutes of the meeting of the Cabinet held on 7 February 2019 be taken as read and signed by the Leader as a correct record.

91. REPORTS OF PORTFOLIO HOLDERS

There were no verbal reports made by Members of the Cabinet on current issues affecting their areas of responsibility.

92. PUBLIC QUESTIONS AND REQUESTS TO ADDRESS THE CABINET

The Cabinet noted that no public questions or requests to address the Cabinet had been received for consideration at the meeting.

93. OVERVIEW AND SCRUTINY

The Chairman of the Overview & Scrutiny Committee reported that their last their meeting had been held on 26 February 2019. They had received several Youth Councillors who gave a brief update on the work that the Youth Council had been involved in since their election in 2018.

Their training had included Dementia Friends Awareness, Hate Crime Ambassadors, Consequences of Crime, Drug Awareness, Basic First Aid, Diversity Awareness as well as training provided by Essex Police and the British Youth Council.

The Youth Council had also been involved in the Youth Council's 10th Anniversary celebrations at the Houses of Parliament, a drug report and Gateway Drugs project, MiLife, the Youth Activities Map and winning the National Crimebeat Awards 2018.

They ensured that the Youth Council were considering relevant topics by consulting young people through surveys, within their schools, holding youth conferences and the use of social media.

They had been involved in many consultations with external organisations and had successfully applied for and received £4830 of external funding in the past year. They had chosen to support CRY Cardiac Risk in the Young as their chosen charity to raise funds for.

Other issues considered were the conclusion of the call-in for the Accommodation Strategy, questions to be put to South East Local Enterprise Partnership who would be attending the Committee in April and the work programmes for the O&S Committee and Select Committees.

94. HARLOW AND GILSTON GARDEN TOWN TRANSPORT STRATEGY

The Planning Services Portfolio Holder introduced the report on the Harlow and Gilston Garden Town Transport Strategy. The Cabinet noted that Harlow and Gilston had been designated as a Garden Town by the Ministry for Homes, Communities and Local Government in January 2017 and would comprise new and existing communities in and around Harlow. East Herts, Epping Forest and Harlow District Councils were working together with Hertfordshire and Essex County Councils to ensure plans for the Garden Town supported sustainable living and a healthy economy; provided a good quality of life for existing and future residents; and responded to local landscape and character.

AECOM were commissioned in May 2018 to prepare a transport strategy working with the Councils across the Garden Town. Transport had a critical role to play in facilitating housing and employment growth. The Transport Strategy was intended to be a high level document which set out the key aims, objectives and principles in relation to movement, travel and transport in and around the Garden Town. The Draft Transport Strategy had now been agreed by the Harlow and Gilston Garden Town Member Board and the next stage was to seek agreement from this Council to publish the draft strategy for a period of consultation.

Once it has been through this it would come back to the Council for adoption as our own planning document.

Councillor Sartin said that she had been to a workshop in Harlow where they talked about transport corridors and asked if there were any circular routes under consideration. The Planning Portfolio Holder said that the corridors were to connect to the North, South, East and West of the Garden Town. If they made the routes

longer they may discourage people from using them; but the document will be out for consultation and if you felt that a circular route was better, please let us know.

Councillor Lion wanted to know if 'lift sharing' would be considered. He was told they were consulting on the current transport strategy, in the current hierarchy, only the fourth item was the private vehicle. If they could improve the use of private vehicles by using lift sharing, that would be a positive thing.

Councillor Grigg commented that some of the targets in the report were very challenging, like balancing the need for parking spaces and at the same time helping retail businesses. She would be interested in how this would work out. The Planning Services Portfolio Holder agreed it was a challenging balancing act; providing more car parking spaces would also encourage more cars and cause congestion. We would have to wait and see what the consultation comes up with.

Councillor Bedford said it was fair to say that looking at this survey we were comparing today's usage of motor vehicles to future travel modes. The Planning Services Portfolio Holder said that they were not comparing, just developing a strategy. They were also looking at rapid transit buses and trams and other options for the transport corridors. For the Garden Town the strategy would have to be something that was capable of evolving over time as there a lot of unknowns at this stage.

DECISION:

- (1) That the draft Harlow and Gilston Garden Town Transport Strategy (January 2019) be published for a six-week period of public consultation following the May elections; and
- (2) The Cabinet noted that, following consultation and any subsequent revisions to the document, it was intended that the final Transport Strategy would be agreed as a material planning consideration for the preparation of masterplans, the preparation of the Gilston Area Charter, pre-application advice, assessing planning applications and any other development management purposes.

Reasons for Proposed Decision:

To agree the Draft Transport Strategy to be published for a six week period of public consultation following the May elections. Following consultation and any subsequent revision to the document it was intended to give suitable planning weight to the strategy by endorsing it as a material planning consideration, to ensure that development proposals would achieve garden town ambitions, and that clear parameters were established for future masterplanning pre-application advice, assessing planning applications and any other development management purposes within the Harlow and Gilston Garden Town

Other Options for Action:

Not to agree the Draft Transport Strategy for consultation would mean that there would be no agreed approach to ensure that development proposals would achieve Garden Town ambitions, and that clear parameters were established for future masterplanning and consideration of planning applications across the Garden Town in relation to movement, travel and transport

95. WALTHAM ABBEY LEISURE CENTRE - OPTION TO TAX

The Business Support Services Portfolio Holder introduced the report on the Waltham Abbey Leisure Centre – option to tax.

The Council currently enjoyed the protection of Section 33 of the VAT Act 1994 whereby it can reclaim all the Value Added Tax (VAT) paid on expenditure relating to its exempt supplies as long as VAT on costs relating to the exempt supplies was less than 5% of the total VAT incurred by the Council in any given financial year.

Leisure services were, in general, subject to exempt rates of VAT and the relevant expenditure of running sports centres was predominantly standard rated, it was requested that Waltham Abbey Leisure Centre be added to the list of properties “opted-to-tax” along with all other sports complexes.

As Leisure Services, were predominantly exempt from VAT the Council would be unable to recover any of the VAT incurred on any of its costs of maintaining the site. To remain consistent with the other Leisure Centres, opting to tax the land the Council could reclaim all VAT without it affecting their partial exemption limits. This practice was in place at present with formalities to be put in place.

Decision:

That in order to safeguard the Council’s financial position, the Cabinet agreed to “Opt-to-Tax” Waltham Abbey Leisure Centre.

Reasons for Proposed Decision:

To enable the Business Support Service Director to “Opt-to-Tax” Waltham Abbey Sports Centre after gaining relevant advice from VAT advisors thus ensuring the Council can reclaim all the VAT incurred on its exempt supplies.

Other Options for Action:

- (i) Do not “Opt-to-Tax” and do not reclaim any VAT on exempt supplies;
- (ii) Do not “Opt-to-Tax” and repay over £2m of reclaimed VAT to date;
- (iii) Do not “Opt-to-Tax” and do not reclaim VAT paid on construction costs.

96. PETITION - PARKING TARIFF AT ONGAR CAR PARKS

In the absence of the Contract and Technical Services Portfolio Holder, the Community and Partnership Services Portfolio Holder introduced the report on the recent petition to rescind Sunday off street car parking charges in Ongar.

The last tariff change was in 2015 however it did not include Ongar and Waltham Abbey. Parking charges had not changed in Ongar since 2008.

In September 2018 Cabinet agreed a new car parking tariff. The review sought to balance the needs of various users and was an attempt to simplify parking tariffs, accept the principle of controlling demand by price, help local businesses by keeping the lower charge bands unchanged, gradually removing subsidy from Season Ticket prices, continue the differential tariff across the District, create uniformity in charging on weekends and to enable reinvestment to improve and enhance user experience.

The petitioners sought for the Council to reconsider its earlier decision of an introduction of a £1 all day parking charge on a Sunday in Pleasance Car Park in Ongar, after an initial free one hour. The Petitioner's reasons included adverse impact on: members of the Petangue club, ramblers, dog walkers, visitors and vitality of local shops and businesses. Under the Council Constitution, Cabinet was obliged to consider the Petition and take appropriate action. However, the Cabinet noted that the report had recently been agreed (in September 2018) and had only just been implemented; and that it would be reviewed within a year.

Councillor Bedford as an Ongar Councillor asked why we needed these variations around the District; had a survey been carried out across all the car parks; and how much revenue was expected to be generated. He understood the need to support local businesses but why was the Council imposing charges on a Sunday when car parks in Ongar on Sundays were largely used for leisure pursuits. The Community and Partnership Services Portfolio Holder replied that the Council were attempting to bring all the car parks in the district up to the same standard, partly achieved by adjusting the rates. This Ongar car park would generate about £3k p.a. to help in this district wide upgrade as well as standardising car parking charges. If we made an exception for one car park then we could be called upon to make an exception to another and so on. We need to maintain a standard so we can move forward.

Councillor Keska speaking for the residents noted that there had been three separate petitions submitted as well as letters in support by the Ongar Town Forum, the Ongar Town Council, the Ongar Neighbourhood Plan Community Group and the Epping Ongar Railway. He noted that each town in the district was unique and you should not equate what happens in one town to what happens elsewhere in the District. It was said that the Council was introducing charges to support local businesses but how do you support local businesses by introducing car parking charges. And as for losing £3k per annum, as you have never had it how could you lose it, this was a new revenue stream. He had been told that a shop assistant on minimum wage would now have to pay £6 to park there, not something you could afford to lose on a small wage. He requested that the Cabinet think again about these charges.

The Community and Partnership Services Portfolio Holder replied that the petition was specifically about the £1 charge on a Sunday, the points just raised was about the entire tariff structure. But, he took the point and noted that there were still the old charges in force for the first two hours for shoppers and visitors. They were also looking towards more sustainable transport leading to less car parking. But with one hour free and a £1 all day parking charge on a Sunday, it was not considered to be excessive. Councillor Keska said that he thought it was not an unreasonable charge; it was the message it was sending that had gone down badly. He understood that it would be reviewed within a year, could this be reviewed in less than a year. He was told that this would be unlikely.

Councillor Philip understood that all ward Councillors thought that their wards were unique but as a District Council they could not treat all 24 local councils differently. They all had their own problems. It was disingenuous to say that the car parking charges had gone up by £6, that is what it costs now. £1 for Sunday parking was not excessive, given what the Council was putting back in return. He understood the concerns of residents and Councillors but he would not encourage a review in under 12 months as they would need proper data to assess and he would encourage the Portfolio Holder bring back a report in a 12 month period but not later.

Councillor C Whitbread noted that we had some of the lowest car parking charges in Essex and invested in our high street and car parks. We had also maintained an

element of free parking. He noted the concerns of the Members and that we would review it within 12 months.

Decision:

(1) That the Petition from Ongar residents seeking to rescind the Cabinet decision of September 2018 of a free one hour followed by £1 all day charge on Sunday in the Pleasance Car Park in Ongar be noted; and

(2) The Cabinet agreed that on the basis that the changes being introduced were agreed in September 2018 as part of parking tariff review it was too soon to make an amendment and that a full review of the impact of the new tariff would be carried out within a year of being implemented.

Reasons for Proposed Decision:

To consider a petition submitted by residents of the District.

Other Options for Action:

It was possible to rescind the earlier Cabinet decision of September 2018 and keep free Sunday parking in Pleasance Car Park in Ongar. There were four other car parks that will also see the introduction of new £1 charge, these are: Basons Lane Ongar, Cornmill, Quaker Lane and Darby Drive Waltham Abbey. It could be deemed unfair if only one car park remained free and others were chargeable.

97. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Cabinet.

CHAIRMAN