

EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

Committee: Council

Date: 25 April 2019

Place: Council Chamber, Civic Offices,
High Street, Epping

Time: 7.30 - 8.50 pm

Members Present: Councillors R Bassett (Chairman), R Gadsby (Vice-Chairman), N Bedford, H Brady, P Bolton, R Brookes, L Burrows, K Chana, D Dorrell, A Grigg, I Hadley, S Heap, S Heather, S Jones, H Kane, S Kane, H Kauffman, P Keska, J Knapman, Y Knight, J Lea, A Lion, M McEwen, L Mead, A Mitchell, G Mohindra, R Morgan, S Murray, S Neville, M Owen, A Patel, J Philip, C P Pond, C C Pond, B Rolfe, B Sandler, M Sartin, P Stalker, S Stavrou, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse and D Wixley

Apologies: Councillors N Avey, R Baldwin, A Beales, G Chambers, L Hughes, R Jennings, J Jennings, C Roberts, D Roberts, J Share-Bernia and E Webster

Officers Present: G Blakemore (Chief Executive), N Boateng (Service Manager (Legal) & Monitoring Officer), T Carne (Corporate Communications Manager), R Perrin (Senior Democratic Services Officer), A Rose (Marketing & Digital Content Officer) and S Tautz (Democratic Services Manager)

98. WEBCASTING INTRODUCTION

The Democratic Services Manager 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.

99. MINUTES

RESOLVED:

That the minutes of the meeting on 21 February 2019 be taken as read and signed by the Chairman as a correct record.

100. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Staff Code of Conduct, G Blakemore (Chief Executive) declared a personal interest in agenda item 11.1 (Appointment of Returning Officer & Electoral Registration Officer). G Blakemore had determined that her interest was pecuniary and would leave the meeting for the consideration and voting on this matter.

(b) Pursuant to the Council's Code of Member Conduct, Councillor G Mohindra declared a non-pecuniary interest in agenda item 14a (Joint Arrangements and External Organisations) by virtue of being a substitute representative for Essex County Council. Councillor G Mohindra had determined that he would remain in the meeting for consideration of this item.

101. ANNOUNCEMENTS**(a) The Chairman's Announcement**

The Chairman informed the Council that he met the HRH, the Duchess of Cambridge who had recently attended Gilwell Park, to mark the 100 year anniversary of the Scout's UK headquarters. The Duchess had taken part in a wide range of indoor and outdoor activities. He had also attended a Jack Petchey's "Speak Out" Challenge! at Roding Valley High School, where 25 young people took part in a speak out challenge to develop their skills and confidence to speak in public.

Furthermore, the Chairman's had organised a charity concert, which had raised £1600 for the Young Carers drop-in centre in Loughton.

(b) Members not seeking re-election

The Chairman acknowledged and thanked Councillors K Chana, L Hughes and A Grigg for their service to the Council, as they were not standing for re-election on 2 May 2019.

The Leader of Council paid tribute to these Councillors and the service they had provided for the Grange Hill; Broadley Common, Epping Upland and Nazeing; and North Weald Bassett. In particular to Councillor A Grigg for her service on the Cabinet.

(c) Flowers

The Chairman announced that he intended to send the flowers to Tracey Hartley who ran the Young Carers drop in site in Loughton.

102. PUBLIC QUESTIONS (IF ANY)

The Council that there were no public questions submitted for consideration at this meeting.

103. QUESTIONS BY MEMBERS UNDER NOTICE

The Council noted that there were no members questions under notice submitted for consideration at this meeting.

104. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Portfolio Holders. The Chairman invited the Leader of Council, to provide an oral report and the opportunity for other members of the Cabinet to give updates.

(a) The Leader of Council

The Leader advised the Council that he had attended several meetings across the District and wider area. There had been discussions regarding the Essex Highway Rangers and the valuable work they do around the District with considerations into bringing them back in house.

He had also attended a celebration day for volunteer groups in the District; moved forward with discussions and potential partnership arrangements with the Epping

Town Council at the St John's Site, Epping and attended meetings with the Local MP, Dame Eleanor Laing.

Finally, he thanked the members of his Cabinet for their service and work over the past year.

(b) Housing and Property Services Portfolio Holder

Councillor S Stavrou updated members on the Council House Building programme which was discussed at the Cabinet meeting on 11 April 2019. There had been a total of 45 new homes for affordable rent completed and a further 63 were expected and another 73 homes over the next three years. An audit of the council's house building programme had been undertaken in February 2019, which had identified some lessons to be learnt from phases 1,2 and 3 and actions had been put in place to improve the future programme delivery.

105. QUESTIONS BY MEMBERS WITHOUT NOTICE

(a) Council Officers

Councillor R Morgan enquired whether the Leader had any concerns over the recent loss of several officers at the Council.

Councillor C Whitbread advised that although a number of long term officers had left the Council, the authority was moving forward with a new Leadership Team which had a number of experienced officers. The Council was currently being transformed for the future and was working towards the Council's corporate aims and objectives to invest in local services.

(b) Essential Living Fund

Councillor S Murray asked the Leader whether he was concerned by the 87% reduction of Essential Living Fund, which provided crisis grants from Essex County Council to help people in extreme hardship; and the yearly increase of 22% of residents in the District using the foodbank and the effects on families and children.

Councillor C Whitbread advised that foodbanks were an important service in the community and provided a safety net for residents in the District. The Council supplied grants to community services and would welcome the foodbank to contact them to discuss options.

Regarding the ECC Essential Living Fund, the Council would investigate how it effected the Districts residents and the Portfolio Holder responsible for grants would consider options, if required.

(c) Class of Planning Applications

Councillor C C Pond asked the Commercial and Regulatory Services Portfolio Holder whether as a landlord, the Council would consider encouraging diversity in the class of planning applications, particularly within the Landmark building.

Councillor A Grigg advised that the Council had received interest in the Landmark building and positive talks were continuing with diverse uses being considered.

(d) Policing and Street Lighting in the District

Councillor A Patel asked the Leader whether the increase in Police officers within the District had been down to the Police, Fire Crime Commissioner (PFCC), Roger Hirst and who had negotiated with Essex County Council for the return of Street Lighting for Parish and Town Councils in the District.

Councillor C Whitbread confirmed that the PFCC was responsible for the budgeting of the Police. Furthermore, the Council had discussed options for the return of street lighting within the District, if the Town or Parish Councils wished to fund this option.

(e) Business Parking Permits in Epping

Councillor J H Whitehouse asked the Contract and Technical Portfolio Holder whether any consideration had been given to businesses in Epping following the parking review due to the commuters now filling the car parks.

The Leader answered on behalf of the Contract and Technical Portfolio Holder. He advised that the Contract and Technical Portfolio Holder had received several concerns about the parking scheme and commuters parking. There were a few issues that needed to be considered and balanced, which included the residents of the area, traders, shoppers and other people that wished to park in the area. The parking schemes would be reviewed each year to consider any issues raised.

(f) St John's Site Epping - Leisure Centre

Councillor L Burrows asked the Leader who was delivering the Leisure Centre at the St John's Site, Epping.

Councillor C Whitbread advised that it was the Executive alongside Ward Members and Town Council Members.

(g) Epping Forest Retail Park – Parking Issues

Councillor M Owen asked the Commercial and Regulatory Services Portfolio Holder for an update on the all day parking issues, that were occurring at the Epping Forest Retail Park.

Councillor A Grigg advised that the Council was aware of the situation and would appreciate a stronger reaction from the responsible authorities, to the covering of car number plates. The Council were reporting the offences and were providing traffic wardens at peak times to help with the traffic flow. ECC had also undertaken a safety audit on pedestrians crossing the carriageway at Chigwell Lane, although they felt that any alterations would cause further traffic flow implications.

The Council would also publicise action taken on vehicles that had been reprimanded and fined for not abiding to the car park rules, to try to prevent further issues.

(h) Council Housing

Councillor D Wixley asked the Leader whether the Council could publicise and make clear that, new council housing was intended for local people and not for people living out the District.

Councillor C Whitbread advised that the housing allocation policy stated that residents were required to live in the District for seven years before they could register on the housing waiting list. Therefore, allowing housing for local people, who had lived in the district all their lives, which included the new council houses.

(i) Officer Appointments

Councillor J M Whitehouse asked the Leader how many of the Service Manager positions had been filled permanently, temporarily and were still vacant; along with the time frame for filling the Strategic Director posts.

Councillor C Whitbread advised that he would supply a detailed answer in the Members Bulletin.

(j) Local Plan

Councillor N Bedford asked the Planning Services Portfolio Holder whether the Local Plan proposed 1300 homes in Epping, without the necessary infrastructure; and if the master planning exercise would cover these requirements.

Councillor J Philip advised that there was an Infrastructure Delivery Plan for the whole District, which covered the infrastructure needs for the Local Plan. With regards to the proposed homes to the south of Epping, he had signed a statement of common ground between the Council and the developers for this land which contained reference to infrastructure in the master plan.

(k) Civic Offices - Epping

Councillor H Whitbread asked the Leader whether the public facing, and civic functions were remaining in Epping; and whether the usage of the Civic Offices would remain or increase, to maintain the High Street in Epping.

Councillor C Whitbread advised that the building was Grade II listed and that the customer facing services, civic functions and democratic services would remain at the Civic Offices. The Civic Offices would incorporate other services into the building to increase interest in the High Street.

106. MOTIONS

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

107. COUNCILLOR R. MORGAN

The Chairman advised that in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990, Councillor R Morgan had given notice that he had joined the Conservative Group.

RESOLVED:

(1) That in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990, Councillor R Morgan had given notice that he had joined the Conservative Group; and

(2) The Council also noted that following this notification there had been no request for a review of pro rata membership of Committee and Sub-Committee places pending the forthcoming elections.

108. LOCAL GOVERNMENT ACT 1972 - APPOINTMENT OF SECTION 151 OFFICER

The Monitoring Officer submitted a report regarding the statutory requirement for the appointment of a Section 151 Officer, which was an appointment reserved for Council in accordance with Article 4 (The Full Council).

RESOLVED:

(1) That, with immediate effect, Tina Stankley be designated as the Council's Chief Finance Officer, being the officer having responsibility under Section 151 of the Local Government Act 1972, Section 73 of the Local Government Act 1985 and Section 114 of the Local Government Finance Act 1988; and

(2) That pursuant to the above recommendation (1), the Monitoring Officer made changes to the Scheme of Delegation contained within the Council's Constitution, as required to give effect the appointment of Tina Stankley as the Chief Finance Officer.

109. APPOINTMENT OF RETURNING OFFICER & ELECTORAL REGISTRATION OFFICER

The Monitoring Officer presented a report to the Council regarding the appointment of the Returning Officer, Electoral Registration Officer and other Officer Delegations.

RESOLVED:

(1) That, in accordance with the Representation of the People Act 1983 and all related legislation, Georgina Blakemore be confirmed as the Electoral Registration Officer (ERO) for the Council with effect from 3 May 2019, with authority to appoint a deputy or deputies as may be required;

(2) That, in terms of Section 41 of the Local Government Act 1972 and all related legislation and with effect from 3 May 2019, Georgina Blakemore be appointed as Returning Officer for the Council, with authority to act in that capacity for elections to the District Council and all or any parish and town councils within the Epping Forest District;

(3) That the Council's Returning Officer/Electoral Registration Officer be also appointed or authorised to act in respect of all related electoral, poll or referendum duties, including those in relation to County Council elections, elections to the European Parliament (if required), and for national and regional or local polls and referendums;

(4) That, in relation to the duties of Returning Officer or any other electoral, referendum or polling duties arising from such appointment, the Returning Officer shall be entitled to be remunerated in accordance with scale of fees approved by the Council for local elections, or the relevant scale of fees prescribed by a Fees Order in respect of national, regional or European Parliament elections, polls or referendums;

(5) That in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer shall be superannuable, and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from central government or other local authorities or agencies where this can be done;

(6) That, in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out and maintain in force insurance indemnifying the Council and the Returning Officer against legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council or the Returning Officer and/or the cost of holding another election in the event of the original election being declared invalid (provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts or other legislation governing the electoral process, or accidental breach of any ministerial or other duty by the Returning Officer or any other person employed by or officially acting for him in connection with the election or poll); and

(7) That any such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer up to the value of such excess.

110. CONSTITUTION WORKING GROUP

Mover: Councillor M McEwen, Chairman of the Constitution Working Group

Councillor M McEwen presented a report to formalise the trial arrangements for a site visit request at Area Plans Sub-Committees and District Development Management Committee. Furthermore, the consideration of formal site visits and public speaking arrangements for planning applications referred to Council would be added to the ongoing work programme of the Constitution Working Group.

RESOLVED:

(1) That the agreement for formal site visits with regard to planning applications listed in agenda for meetings of the Area Plans Sub-Committees, be implemented on a permanent basis with effect from the commencement of the 2019/20 municipal year;

(2) That, where an application that had been subject to a formal site visit by members of one of the Area Plans Sub-Committees and subsequently referred to the District Development Management Committee for determination, a further site visit be arranged for members of the District Development Management Committee prior to the consideration of the application;

(3) That, in addition to being agreed at a meeting of the District Development Management Committee in respect of any planning application listed in an agenda for a meeting of the Committee, the holding of formal site visits by members of the District Development Management Committee be approved by the Chairman of the Committee on the recommendation of the Service Director (Planning Services);

(4) That, the Monitoring Officer be authorised to revise Article 10 (District Development Management Committee and Area Plans Sub-Committees)) of the Constitution accordingly; and

(5) That the following matters be added to the ongoing work programme of the Constitution Working Group:

- (a) the consideration of possible arrangements for formal site visits to be held with regard to planning applications referred to the Council for determination; and
- (b) the review of existing arrangements within the Constitution whereby planning applications referred to the Council for determination are not generally subject to arrangements for public speaking.

111. OVERVIEW AND SCRUTINY COMMITTEE

The Council noted the written report of Councillor M Sartin, the Chairman of the Overview and Scrutiny Committee. Councillor M Sartin advised that South East Local Enterprise Partnership had attended the last meeting and the Committee had agreed to the new Overview and Scrutiny Select Committee Framework which consisted of three Select Committees; Stronger Place; Stronger Council and Stronger Communities for the 2019/20 municipal year.

Councillor S Murray asked the Overview and Scrutiny Chairman whether the Committee could undertake an enquiry on the planning application EPF/0139/19 – Land adjoining 22 & 28 Oakwood Hill Industrial Estate , Loughton following the decision not to proceed with the application; that Ward Members concerns were not listened to; and the procedures for referring an application to Council.

Councillor M Sartin advised that the Committee had come to the end of it's work programme and it would be for the new Committee members to consider suggestion to be placed on the work programme. She advised that the Housing and Property Services Portfolio Holder had taken the decision to remove the planning application.

112. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

- (a) Reports from External Organisations
 - (i) Lee Valley Regional Park Authority

The Council received a written report regarding the Lee Valley Regional Park Authority from Councillor M Sartin and S Stavrou. Councillor M Sartin advised that the Lee Valley Regional Park covered an area from the rivers Thames up to Ware, and the Council had a good representation from the Council, as the Council only paid into the Park through Essex County Council.

- (ii) Roding Valley Nature Meadow Reserve

Councillor S Murray advised that the Warden Michael Poole had moved on, so Essex Wildlife Trust who manage the area were looking for a new warden. He wanted to thank Michael for his service. There had also been some fire vandalism to some of the trees on this site, but both the Council officers and Essex Wildlife were managing the issue.

- (iii) Royal Gun Powder Mill

Councillor H Kane advised that the last meeting had been closed to the public and at this moment there was nothing further to report.

(iv) Stansted Community Trust

Councillor R Morgan advised that the trust had been due to closed in March 2019, following the planning application of the new airport terminal, although this had been delayed due to a judicial review. Therefore, the trust would meet again in June 2019 and once the judicial review had been completed a new trust would be set up.

(b) Request for a Joint Arrangement or External Organisation Report

(i) New City College

Councillor S Murray asked for the New City College representative, Councillor R Bassett , that once he had attended a meeting, that he update the Council on the use of Capital receipts from the sale of land and whether the money would come back into the District. Councillor R Bassett advised that he was still proceeding through the formal appointments process, but he noted the concerns.

Councillor D Wixley asked Councillor R Bassett under his new role to investigate the commitment the college provided to replace the demolished sports centre once funds were available, potential from the sale of the land.

(ii) Corporation of London

Councillor S Heap requested a report from the Corporation of London regarding the maintenance and the changing landscape within the Forest. The Chairman advised that the Council did not have a Council representative, although this could be requested at a future Overview and Scrutiny Committee.

CHAIRMAN

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